John Donne

BIATHANATOS

A Modern-Spelling Edition

Garland English Texts

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John Donne

BIATHANATOS

A modern-spelling edition,
with Introduction and Commentary, by

Michael Rudick
and
M. Pabst Battin

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September, 1981

INTRODUCTION

John Donne's *Biathanatos* is remarkable in at least two respects. It is a substantial work by a major English writer, yet it has received scant critical attention. And it has a singular historical importance, as the first work published in English which takes issue with the traditional Christian prohibition of suicide, yet its contribution to the ongoing philosophical debate on suicide has scarcely been assessed.

Biathanatos was first printed in 1647—not by Donne, but after his death and against his wishes, by his son. It was reprinted in 1700, but today only a photographic facsimile of the first edition is generally available. Many of those who do read *Biathanatos* are candid in their disapproval; they term the work "obscure," "feeble," "difficult," or "crabbed." Indeed, it requires effort and a certain tolerance from the reader who would appreciate it. But rewards are forthcoming. The student of Donne may discover this work to be characteristic of its author's mind, rather than an aberrant or morbid accident. The student of renaissance ideas will find in the work both an enunciation and a critique of many central intellectual commonplaces of the age, and will encounter a style in ethical philosophy which, though vigorous at the time, is not today well known to readers who come to renaissance studies by way of Erasmian humanism. Finally, the work develops a position on the issue of suicide which is not only the earliest published and perhaps still the most thorough critique of the traditional Christian position, but is also one of the most perceptive and most wholly original accounts of suicide to be written in the entire history of the debate.

This edition, in modern spelling and punctuation, has been prepared for as wide a readership as may have reason to appreciate the work—for those whose interest is in Donne, in the renaissance, in the moral issues bearing on suicide, and in ethical and religious philosophy. Its object is to make the text accessible and to present the commentary and annotation necessary to bring it out of its undeserved obscurity.

Good evidence assigns Donne's completion of *Biathanatos* to the year 1608.[1] He cites in the work several books first printed in 1607, and it has been sensibly assumed that its composition preceded that of his religious and political polemic *Pseudo-Martyr,* which was entered by its printer in the Stationers' Register on 2 December 1609 and published in 1610. The first notice of the existence of *Biathanatos* appears in an undated letter from Donne to his friend Henry Goodyer; Donne there speaks of having received in London, from a mutual acquaintance, "the copy of my book, of which it is impossible for me to give you a copy so soon, for it is of not much less than 300 pages. . . . At this time I only assure you that I have not appointed it upon [i.e., dedicated it to] any person, nor ever purposed to print it."[2] The circumstantial details of the manuscript's size—virtually identical to a seventeenth-century manuscript copy extant today—and the private nature of the work make it most probable that Donne refers to his *Biathanatos.* In the same letter he promises Goodyer a copy of his recently composed poem "A Litany"; research into its sources indicates it was written in 1608,[3] and this confirms that year as the date of the letter and of the completion of *Biathanatos.*

The relevant personal background to *Biathanatos* is the condition of Donne's life in its third decade. He was born in 1572 and raised in the Roman Catholic faith. We do not know precisely when he abandoned Catholicism, but in 1597, with his education at the law and his military service behind him, he had conformed sufficiently with the Church of England to hold a government position. He was appointed secretary to Sir Thomas Egerton, the Lord Keeper and a member of Queen Elizabeth's Privy Council.[4] During his employment with Egerton, Donne served in Parliament, made friends and acquaintances in influential circles, and observed the ways of survival and advancement in the court. His attitude towards life at the centers of power often reveals itself in his prose and verse as bitterly satirical; nevertheless, Donne had excellent prospects before him for a career in that world.

Both the present success and the future promise exploded early in 1602 when the thirty-year-old Donne revealed that he had, in the previous December, secretly married Ann More, the sixteen-year-old niece and protegée of Egerton's wife. At the insistence of Ann's outraged father, a wealthy country gentleman, Donne was dismissed from his position and—his offence was serious enough—imprisoned for a short term. The legal validity of the marriage was upheld, but Donne suffered from it a detraction that would permanently disqualify him from the kind of secular career he had sought.

Frustration is the repeated theme of Donne's ensuing years, from 1602 until he entered Anglican religious orders in 1615. For two years the Donnes lived on the estate of Ann's cousin at Pyrford; in 1605 and 1606 John seems to have travelled in Europe. Then the Donnes rented a house in Mitcham, near London, where they lived until 1612 in a kind of forced retirement made more taxing by frequent illnesses and the births of seven children who had to be supported on a relatively slender income. Persistently, Donne tried to repair his situation. He kept up friendships and formed new ones. Through influential friends he solicited positions in the government of King James, but the efforts came to nothing. In the years just preceding the composition of *Biathanatos,* he may for a while have assisted Thomas Morton, Dean of Gloucester Cathedral, in writing anti-Catholic propaganda;[5] it is more certain that Morton offered Donne a secure ecclesiastical living if he would consent to be ordained. As Izaak Walton reports Morton's reminiscence of this, Donne thought it over seriously and refused, alleging that public knowledge of "certain irregularities of my life" might disgrace a sacred calling, and that not God's glory but the selfish desire for an income might be his primary reason for consenting to take orders.[6] And so Donne went on, with no formal employment either to improve his material circumstance or to offer him a chance to use his talents.

Passages from a letter written to Goodyer in September, 1608, are often cited as characteristic of Donne's mood in this period, and of the preoccupations he wrestled with:

> Every Tuesday I make account that I turn a great hourglass, and consider what a week's life is run out since I writ. But if I ask myself what I have done in the last watch, or would do in the next,

> I can say nothing. If I say that I have passed it without hurting any, so may the spider in my window. . . . Two of the most precious things which God hath afforded us here for the agony and exercise of our sense and spirit, which are a thirst and inhiation after the next life and a frequency of prayer and meditation in this, are often envenomed and putrefied and stray into a corrupt disease. . . . With the first of these, I have often suspected myself to be overtaken: which is with a desire of the next life, which, though I know it is not merely out of a weariness of this—because I had the same desires when I went with the tide and enjoyed fairer hopes than now—yet I doubt [i.e., suspect] worldly encumbrances have increased it. I would not that death should take me asleep. I would not have him merely seize me and only declare me to be dead, but win me and overcome me. When I must shipwreck, I would do it in a sea where mine impotency might have some excuse, not in a sullen, weedy lake where I could not have so much exercise for my swimming. Therefore, I would fain do something; but that I cannot tell what is no wonder. For to choose is to do; but to be no part of any body is to be nothing.[7]

The sense of idleness and isolation, coupled with the meditation on death as the passage to a better life than this, is often taken as the sign of a mind contemplating suicide. Indeed, the expressed distaste for a passive death, the urge to succumb in activity, may show Donne at least receptive to suicide as a more attractive end than passive decay, spiritual or physical. The composition of *Biathanatos,* then, with its author's confession of his "sickly inclination" to end discomforts by death (line 1091), is often used to confirm what many of Donne's biographers have suspected, that the possibility of his taking his own life was a real one during those hard years.[8]

One school of interpretation invites us to understand the work as an epiphenomenon of its author's morbid condition, his effort to meet a compelling psychological need. Edmund Gosse was sure that "It was . . . of extreme importance to Donne to persuade himself . . . that if he did someday yield to his weakness, and in a moment of despair throw off the intolerable load of life, he would yet not have committed a mortal sin."[9] But Donne nowhere argues that suicide committed in despair, or for any selfish reason, is excusable from sin. Neither is it evident that any of Donne's arguments to justify suicide would apply to situations that he himself might have confronted. A more careful statement of this hypothesis is that of R. C. Bald, who allows for a sublimation of more immediate pressures, but still sees the same morbidity at the root: "Donne's motive in writing the treatise was . . . to overcome a temptation, not by trying to banish it altogether from the mind, but by giving it full place there and at the same time rendering it innocuous by transferring it from the plane of action to that of learned investigation and contemplation."[10]

Such explanations of its genesis give an impression of *Biathanatos* as a private work with a private application and import. This is, however, at odds with the fact that the discourse is clearly addressed to a public. Its Preface is a studied plea for tolerance and charity from that public. And that public is imagined as a wide one, including "affecters of ignorance" (1145) as well as "all of candor and indifferency" (1186)—in fact, wide enough to comprise "every Christian man" (1139). The pleas for charity from potential refuters are renewed at the opening of Part III (4141ff.) and in the Conclusion. Moreover, the work comes to its reader furnished with all the components of a formal treatise in law and moral theology: a list of authorities cited, an analytical table of contents, and hundreds of marginal notes citing chapter and verse for every item of information and opinion given in the text. Clearly, Donne had someone other than himself to impress with this performance.

Some connections between *Biathanatos* and Donne's polemic *Pseudo-Martyr,* written no more than a year later, also suggest a concern beyond the merely personal. The display of learning in both treatises is itself impressive, and reflects Donne's interests in such subjects as medicine, demonology, ecclesiastical history, and scriptural exegesis. At least the latter two subjects would be useful to one who would put his learning to public use. The same may be said of Donne's extensive knowledge—both historical and practical—of the Canon Law and the Civil Law, which, Walton says, Donne studied during his two-year retirement at Pyrford.[11] Whether or not the study was motivated by professional objectives, considerable research into both the primary sources and commentaries on civil and ecclesiastical law has its effect in *Biathanatos* and *Pseudo-Martyr.* Both books share also the fruits of Donne's research into the subject of martyrdom. When this research began in a formal way we cannot tell, but Donne was close in experience to the subject from his early years. The reminiscence in *Biathanatos*—"I had my first breeding and conversation with men of a suppressed and afflicted religion, accustomed to the despite of death and hungry of an imagined martyrdom" (1091ff.)—parallels Donne's statement in *Pseudo-Martyr*:

> . . . as I am a Christian, I have been ever kept awake in a meditation of martyrdom, by being derived from such a stock and race as, I believe, no family which is not of far larger extent . . . hath endured and suffered more in their persons and fortunes for obeying the teachers of the Roman doctrine than it hath done.[12]

It is easily recognizable that nearly all the historical material on martyrdom in *Biathanatos*, I.iii, is repeated in the first four chapters of *Pseudo-Martyr*, and with much the same lesson in view. In both works, inconsiderate self-exposure to martyrdom, both among early Christians (like the Donatists) and contemporary ones (like the Jesuits), is associated with a precipitate rush for permanent relief from the trials of earthly existence; its motivation is not disinterestedly religious, but naturally selfish, and as such is a corruption of what Donne called, in the letter to Goodyer quoted above, "a thirst and inhiation after the next life," that is, the immanent, God-given desire in the human creature for eternal bliss. Such deaths, Donne held, were not true martyrdoms, but suicides of the wrongful kind, whose unlawfulness was not mitigated by their being committed on the expectation of blessedness in heaven.

The difference between true and false martyrdom is important in both works. In the later book, Donne argues that English Catholics who deny their secular loyalty to the King of England, and are convicted and executed for treason, are not martyrs, but wrongful suicides. In *Biathanatos*, the near identity of lawful suicide and authentic martyrdom is one of the central lessons Donne tries to teach. The two works in fact complement each other, the one being a public contribution to a specific political and religious controversy, the other a quieter, more philosophical inquiry into one of the universal ethical problems that bears upon the public dispute.[13] *Pseudo-Martyr* is, of course, a partisan work; even if somewhat more courteous than most of its contemporary counterparts,[14] it breathes the controversial spirit. Some of the same spirit is evident in *Biathanatos*; although it criticizes a position held firmly by Protestants and Catholics alike, it nevertheless shows its author attached to the Church of England and critical of any, whether Protestant or Catholic, whose extremisms impugn the Anglican *via media* (see especially 3313ff.). It may be that such partisanship is out of place in the inquiry at hand; but it may be suggested that the reason for it was a practical one: at certain points in *Biathanatos*, Donne was preparing for the task ahead in *Pseudo-Martyr*, by trying out certain rhetorical postures appropriate to public controversial works. Nevertheless, Donne maintains a fairly constant distinction of audiences for each work. *Pseudo-Martyr*, after its dedication to King James, is directly addressed to "you" English Roman Catholics; *Biathanatos*, however, as indicated in its Preface, imagines a wider audience, in fact a community limited only by the English language.

Nevertheless, Donne kept *Biathanatos* close. As the letter to Goodyer indicates, it was not to be printed and not to be offered to a patron. Goodyer was promised a copy, and two other close friends, Edward Herbert and Robert Ker, later received copies.[15] "I have always gone so near suppressing it as that it is only not burnt," Donne wrote to Ker in 1619, claiming that "only to some particular friends in both universities then, when I writ it, I did communicate it"; and he admonished Ker to "keep it . . . with the same jealousy. . . . Publish it not, but yet burn it not." In the letter to Herbert, Donne suggested why he would not destroy the work: lest "those reasons by which that act should be defended or excused were also lost with it."

To Ker, however, he gave the reason for closeness: it is a book "upon a misinterpretable subject." It is common to assume that self-protection was the motive for Donne's not publishing *Biathanatos*; he would not have wished to be identified as a promoter of heterodox opinion.[16] This claim is often supported by the now well-known distinction Donne drew for Ker: he says *Biathanatos* is the work of "Jack Donne," not "Dr. Donne." But the ascription of *Biathanatos* to Jack Donne does not imply that the Doctor has changed his mind, or that his younger self is being taxed with immorality or misbelief. Rather, Donne wants it recognized that Dr. Donne the public man, the representative of a Christian church, knows he is not entitled to Jack Donne's privilege, as a private man, to speak aloud for himself.[17] He does not say to Ker that his book is "unorthodox," nor does he apologize for the arguments in it; he notes only that the few early readers claimed "there was a false thread in it, but not easily found," and he does not himself acknowledge the truth of that criticism.

One does find in Donne's later writings statements which seem to disagree with opinions in *Biathanatos*. Do these necessarily warrant the conclusion that, as Evelyn Simpson has claimed, "Donne himself lived to modify the opinions expressed in it"?[18] One example of a seemingly strong contradiction may help to answer this question. Speaking in *Biathanatos* of the presumably natural obligation of human beings to reproduce their kind and live a social existence, Donne wrote that, nevertheless, "it may be very fit for some particular man to abstain from all such conversation of marriage or men, and retire to a solitude. For some may need that counsel of Chrysostom: depart from the high way, and transplant thyself in some enclosed ground . . ." (1692ff.). But in a sermon delivered in 1617, Donne preached on the sinfulness of denying to society the benefits of one's gifts and one's goods; he said that for a man

> to bury himself alive is as much wrong to the state as if he kill himself. Every man hath a politic life, as well as a natural life, and he may no more take himself away from the world than he may make himself away out of the world. For he that dies so, by withdrawing himself from his calling, from the labors of mutual society in this life, that man kills himself, and God calls him not. . . .[19]

This later passage may seem a complete turnabout from the earlier permission of retirement from the human community. Yet a comparison of contexts illustrates very precisely how the distinction between Jack Donne and Dr. Donne is a difference in situation and stance rather than a difference in opinion. The later text, the sermon, was written on assignment for a public occasion, the anniversary of King James's accession. Prominent in its auditory were public men, members of the King's council and officials of the City of London, before whom any concession to private indulgence would have been detrimental to the preacher's hortatory objectives, and perhaps a compromise of his role as a speaker for an institution—in this case, the state as well as the church. The private philosopher of the earlier text, on the other hand, has latitude to concede an exception to a general rule; indeed, it would be inappropriate for him not to do so. It is characteristic of the *Biathanatos* context that, much in contrast to the dogmatic absolutism of the sermon, Donne offers grounds for the position argued, citations both of the general rule and of the basis for exceptions to it, and at a later point in the argument (II.v.1) discusses the degree to which political imperative is a legitimate obstacle to lawful suicide.

Simpson's example is from a sermon of 1624. Here Donne cautions his auditory against imitation of St. Paul's wish for dissolution (Philippians i 23), stressing that the ordinary man does not have Paul's power over life and soul; he advises them to "Stay, therefore, patiently, stay cheerfully God's leisure till He call."[20] This is repeated in a sermon of 1626 which discusses the same issue, again in the context of Paul's wish and also that of Simeon (Luke ii 29). Again, the public situation—Donne would not want to engender presumption in his auditory—requires him to draw the narrowest lesson: neither example is "a wish for us to imitate," for few can wish death "in a rectified conscience and without distemper." Thus Donne is moved to say, "My body is my prison, and I would be so obedient to the law as not to break prison"—which is, interestingly, not a Christian, but a Pythagorean argument used by Plato against suicide at *Phaedo*, 62B—"I would not hasten my death by starving and macerating this body."[21] In neither sermon is there anything inconsistent with Donne's analyses of the Pauline wishes in *Biathanatos*, III.iv.8 and III.iv.10, where he is concerned to establish that there are conditions in which a man may justly wish death, but not to claim that every such wish is worth the granting. And in both sermons, as the listeners are taught not to make their own wills the determinants of their deaths, they are also encouraged not to overvalue life so much as to repine at God's summons when it is issued. This is another lesson which is perfectly consonant with *Biathanatos*. Heterodoxy, then, is not likely to be the reason Donne suppressed the book.

One commentator who is very much concerned with the place of *Biathanatos* in Donne's biography, however, has insisted on its heterodoxy, primarily on the grounds of its evident appeal to libertine thinkers in the latter half of the seventeenth century. George Williamson has argued that Donne's critique of natural and human law in the first two parts of the treatise is grounded in a sceptical and relativistic naturalism. The libertine strain Williamson identifies is the alleged reduction of "natural law" to mere custom or the way things are, apart from externally imposed moral imperatives.[22] This is contrary to the orthodox recognition of natural law as a divinely instituted moral standard. Williamson believes that libertine unorthodoxy is the "false thread" perceived in the work by early readers.[23] Williamson also suspects a clinical, or therapeutic, origin for *Biathanatos*: it is Donne's "profoundest indulgence in, but also his deliverance from, 'the Egypt of despair.'" But he is unlike those critics who see in the work no value other than its having kept its author from killing himself. Williamson thinks *Biathanatos* to be Donne's "most complete philosophical statement," because the scepticism seen in Parts I and II is resolved in Part III by a religious affirmation, in which scepticism is rejected in favor of the certainty of divine enlightenment. To Williamson, writing the book taught Donne that scepticism grounded on the inconstancy of the world need not end in the conclusion that man's ethical sense is hopelessly fallible, but that this scepticism may lead him to know that it can be rectified by God's grace. In this sense, Williamson believes the work crucial in Donne's intellectual and spiritual development, for he sees in its last part an outline of all of its author's mature religious beliefs.

Williamson's sympathy for *Biathanatos* is remarkable when placed against the more prevalent sort of contemporary comment, which is often quite open in confessing plain distaste for the work. The subject itself may be a reason for this distaste; suicide is not a polite or comfortable topic. The more evident cause, though, is the work's treatment of its subject in a style regarded as pain-fully complicated, persistently disputatious, and, in a word, scholastical. Edmund Gosse, for instance, after giving his opinion that Donne wrote the book to settle his conscience, explains why he is sure of this: "If this is not the purpose . . . then it appears to me the idlest trifling with the dry bones of disputation that was ever committed. I am willing to believe that Donne was sick in soul, but not that he was a fantastic trifler."[24] To Simpson, *Biathanatos* ranks with *Pseudo-Martyr* as "the dullest of Donne's works . . . a desert of scholastic reasoning."[25] These opinions find a slightly distorted reflection in the more recent assessment of Joan Webber, who believes the work to be a trifle of sorts: "*Biathanatos* is uninteresting as literature," she says, and its particular features of style and argument are "the author's way of protecting himself against his own fascination with the subject of suicide."[26] These remarks are characteristic in their refusal to find the work at all worthy of a major poet and an accomplished preacher; thus critics of all degrees of sophistication may share a habit of accounting for a literary manner that displeases them by ascribing it to morbidity.

But clinical interpretations of *Biathanatos* are not the only ones to be had. After its posthumous publication in the middle of the seventeenth century, the work found readers who took it as a seriously intended intellectual endeavor. In an epoch when the issue of suicide was frequently debated, Donne's work was, as S. E. Sprott says, "a tract for the times";[27] efforts at refutation show that the work was received for what it ostensibly claimed to be, an inquiry into the justification of suicide.[28]

A limited number of twentieth-century commentators have had the same opinion. Charles Monroe Coffin found no reason to characterize the work as a rationalization of morbidity; in fact, Coffin observes, Donne's "fascination of death . . . suffers a singular suppression in this treatise."[29] Coffin also rejects the hypothesis that Donne wrote *Biathanatos* to show how clever, but dubious, a case he could construct to justify suicide, and recognizes that Donne's position permits suicide only in a very narrow range of circumstances. Coffin describes the dominant thrust of the work as critical: a critique of traditional ideas in morality, grounded in its author's perception of a changing physical universe and a correspondingly alterable moral world for human beings, "an expression of the author's awareness that in a mutable world nothing can be held so constant as inflexibly to bind all men and every generation to its authority."[30] Thus Coffin claims that moral relativism is the underlying philosophy of *Biathanatos*. He sums up Donne's critical stance in the proposition that "obedience to these laws [natural, human, divine] is not mandatory, but contingent on circumstance."[31] Sprott, reading *Biathanatos* in the context of the seventeenth-century literature on the subject, agrees with Coffin's essential position, and points as well to Donne's significance in that literature: *Biathanatos* "was not alone, though it was precocious, in its adoption of the relativistic defence."[32] The accuracy of these accounts, including Williamson's, which insist upon ethical relativism as the basis of Donne's argument is disputable; nevertheless, their recognition of a consistently maintained ethical philosophy is notable.

The conclusions of Coffin and Sprott are not today in vogue among scholars who have paid close attention to *Biathanatos*. What now appears to have become the critical orthodoxy claims to discover in the work various kinds of indirection and ironic strategies. These interpretations have in common the proposition that the aim of *Biathanatos*, if it has one, is quite other than the one which is explicitly stated in the work. A. E. Malloch, whose examination remains the most detailed, calls *Biathanatos* an "extended paradox" in which "the deliberate confusions of . . . fabricated argument become the means of illuminating . . . the mystery of being."[33] He is followed by Rosalie Colie, who classifies the work as an "epistemological paradox," one which is "successfully confusing" in its "absence of any reasoned conclusion to the voluminous materials displayed in polemical patterns."[34] Independently of Colie, Joan Webber,too, finds the work deliberately inconclusive, and so concludes it to be a "satire on scholastic and casuistic reasoning," although "a somewhat half-hearted, somewhat unsuccessful" one. In contrast to Malloch and Colie, who see it as a self-conscious display of pernicious logic, Webber says *Biathanatos* is alogical; its style entails a "rejection of formal logic," and its aim is "the purposeful denigration of all varieties of reasoning."[35] This school of interpretation, then, holds that the work is not to be taken at face value, and that the naive reader must be on guard against subtle but treacherous argumentation, which is designed precisely to lead the reader away from the conclusion he might naively reach.

However, we think that Malloch, Webber, and Colie, although they credit Donne with intelligence in the composition of *Biathanatos,* have failed to recognize the existence of the coherent, interesting, and significant argument which Donne pursues. Indeed, they have denied that such an argument exists. Because there are no unequivocal external clues to Donne's intentions, of course, the only effective way to assess the claims of those who take the book to be a work of indirection is to examine its text carefully, and to consider whether its argument can have been sincerely proposed or whether it must ultimately be a trick; to this end, we will attempt, in the final portion of this Introduction, to elucidate the central argument Donne pursues. But it is difficult to discern this argument without some acquaintance with Donne's "polemical patterns," as Colie calls the work's argumentative strategies, and these in turn depend heavily upon their backgrounds in specific traditions of ethical thought. Thus, before an adequate analysis of the argument in *Biathanatos* can be undertaken, it will be necessary to characterize Donne's sources and how he uses them.

Donne cites nearly two hundred authorities in the course of *Biathanatos.* About half are used only as sources of historical facts, or for ornamental similitudes, or for illustrative examples. Their use may not be otiose, but their content is not a primary determinant of the treatise's character. The remaining authorities, however, are used substantively, as Donne incorporates argument and opinion from them into the fabric of his own discourse. These sources comprise a variety of authorities: the Bible and its exegetes; various civil and religious law codes, together with their commentators; Christian church fathers, moral theologians, philosophers, homilists, and religious controversialists. Some patterns are conspicuous: first, very little Graeco-Roman philosophical opinion is used, and its application to the central issue of suicide is negligible in the treatise; second, more than half of the sources substantively employed are of the sixteenth and early seventeenth centuries; third, of writers recognizably identified with factions in post-Reformation religious controversy, Roman Catholics outnumber Protestants by about two to one, although neither side is in principle more disposed to Donne's position on suicide than is the other.

The emphasis, then, falls upon what was in Donne's time the ecumenically accepted Christian teaching on suicide. This may, without oversimplification, be reduced to commentary on two authorities whose pronouncements define the nature of all that follows them: St. Augustine in *De civitate Dei*, I.17–27, and St. Thomas Aquinas in the *Summa theologiae*, 2a2ae, q. 64, a. 5. Augustine's chapters are the *locus classicus*, the point of departure for all subsequent Christian discussion; it is Augustine who created the Christian orthodoxy by asserting that suicide violates the commandment "Thou shalt not kill," and by claiming that the one preeminently laudable suicide in Scripture, Samson, is excused for his act because God commanded him to do it. These two points remain central to the dogma through Donne's own time, although other elements in Augustine's discussion, such as his questioning the heroism of certain revered classical suicides (e.g., Cato, Lucretia), also provide material for later writers. Aquinas' article, as the second major Christian authority, adopts the essential Augustinian position, but adds to it three new arguments. Two are non-Scriptural: that based on the presumed natural law of self-preservation, and that based on the individual's obligation to the human community; the third, supported by Deuteronomy xxxii 39, is based on the notion of life as a gift from God. These additions had by Donne's time become part of the orthodoxy.

Also revealing is material Donne does not use. He certainly shows himself altogether conversant with the holdings on suicide in both secular law and Christian moral theology, virtually all of it opposed to his own position. For resources with which to counterattack, Donne might have gone to the arguments in the classical Stoic tradition, which could have afforded him the most well-tried set of philosophical reasons to justify suicide. Stoicism strongly defends suicide and emphasizes the individual's privilege of taking his own life, that is, of making a "rational exit" from the world. Of course, most Stoics limit the privilege to the wise man who is schooled well enough in indifference to life's pleasures and pains to avoid a "hasty exit" on inadequate grounds; as Seneca taught (*Epistulae morales*, XXIV.25), "The brave and wise man should not flee from life, but pass beyond it [*exire*]; and he ought above all avoid that passion which afflicts so many, a lust to die." Nevertheless, Stoicism strongly advocates suicide as the responsible moral choice in many sorts of situations. But Donne ignores this tradition of arguments altogether. Furthermore, he makes no use of two well-known and sympathetic renaissance discussions of suicide which draw considerably on Stoic sources, Montaigne's essay "On a Custom of the Isle of Cea" (1573–4, *Essais*, II.iii) and Pierre Charron's treatment in *De la sagesse* (1601), II.xi. Montaigne and Charron use traditional material in their hypothetical settings forth of reasons to justify suicide (neither pronounces it absolutely lawful), and both cite certain commonplaces, classical and Christian, which are found also in *Biathanatos*. Donne may have read these discussions, but he does not use material from them.[36]

He does cite one widely read renaissance discussion, that in the second book of Thomas More's *Utopia* (1516), where the Utopians' defense of rational suicide is grounded in the blend of Epicurean and Stoic philosophy that forms their creed. But it is not the philosophical rationale for suicide that Donne uses. Instead, he underscores the religious justification by pointing out that in Utopia priests and magistrates would recommend suicide to sufferers from incurable diseases, and were—as the only ones qualified to sanction a voluntary death—"obeyed as the interpreters of God's will" (2352). Donne in fact uses *no* arguments favorable to suicide which come from classical sources. The many ancient suicides listed in I.ii.3 are "natural men" who exemplify a natural propensity, not necessarily a virtue. An oration ascribed to Quintilian (II.vi.4) and Pythagoras' allowing himself to be killed (II.vi.8) are only mentioned in passing. All the other classical philosophical arguments Donne uses are either opposed to suicide (such as those of Aristotle) or strongly restrictive of its allowance.[37]

Donne's omissions are not evidence of negligence in research or serious ignorance in treatment. Rather, the omissions suggest a self-imposed restriction, a deliberate eschewal of certain commonplace sources which might obscure or jeopardize the task he had in hand. But the nature of this restriction will not become clear until we have understood the argument of the work as a whole; we shall return to this issue later. For the present we will point out a second reason for Donne's eschewal of classical philosophical justifications of suicide; this is connected with his argumentative strategies.

Donne very early refers to the methods of "scholastic and artificial men," those trained in the academic curricula of Aristotelean philosophy, Thomist theology, and the arts of logical disputation. They comprise the audience to be persuaded; "natural men," on the other hand, do not need such persuasion, Donne says, "because I presume that natural men are at least enough inclinable of themselves" to the belief that suicide is justifiable (1227ff.). The "natural men" may be those whose intuitions remain uncomplicated by the ingenuities of "artificial men." In another sense, "natural men" are those unenlightened by divine revelation; they include Stoics and classical philosophers who are not familiar with the dogma that suicide is invariably sinful. They are, then, persons who need no convincing, least of all by having their own arguments repeated to them. But such arguments are especially to be ignored because they would in any case fail to persuade the "scholastic and artificial men."

Thus Donne undertook the maximal task in defense of suicide: he chose the most dogmatic of antagonists, those who would listen to no reasons but their own and who would debate in no style but the one familiar to them; and his project was to employ their own means to undermine the dogma those means had sustained.[38] Hence he committed himself to a certain decorum of argument. The reasoning behind his choice of mode is perhaps illustrated in a statement by one of the more capable scholastic authors he had read, Domenicus Sotus:

> My style is scholastic and Aristotelean, the clearest for tracking down and communicating the truth, and the one most appropriate for positing and inferring. There are indeed those superior Latinists who treat scholastic subjects in the oratorical manner and who esteem us to be barbarians; but they have never succeeded through that manner of discourse, either to reason effectively from their

> own premises or to interpret their own material clearly. So we shall practice the literary manner which is sought for especially by those who, though short of Ciceronian eloquence, would be theologians.[39]

It is not correct to assume *a priori* that, because he was a poet or a Protestant or ahead of his time, Donne would have had an Erasmian preference for the oratorical manner. He surely knew that neither the Erasmians nor the Protestant theologians had developed a method in moral theology which was nearly so rich in accumulated experience or in tools of analysis as was the Thomist tradition in the sixteenth century. Since Donne criticized as much a Protestant as a Roman Catholic position, he could have chosen the non-scholastic manner of a Protestant writer like Peter Martyr. But he would have recognized that Martyr's method in dealing with suicide was more an accumulation of erudition and exhortation than a dialectic which tested opinion, and that Martyr was far less flexible than the Thomists in appreciating how absolute exhortations are often difficult to apply to particular cases of moral choice.[40]

One may notice Donne's own expressions of exasperation at notoriously elaborate scholastic distinctions (e.g., 1452 ff., 3825f.), but one must concede as well his own skill in using them (e.g., all of II.vi, whose argument is structured on the received scholastic distinctions among five kinds of homicide). Old prejudice and modern oversimplification denigrate renaissance Thomism as an outmoded, inertial medievalism, practiced only in the more recondite corners of conservative universities. But as a comprehensive assessment, this is historically inaccurate. There surely were rootbound scholastic theologians; other members of the school, however, participated in a still living and productive tradition. If Donne knew and cited examples of moribund scholasticism, he showed himself also seriously interested in the more original and consequential developments in this tradition. In *Biathanatos* and elsewhere, he discusses knowledgeably certain issues which were the especial concern of one particular school in renaissance Thomism, a succession of Spanish moral theologians who taught mainly at the University of Salamanca from about 1525 through the end of the sixteenth century.

The earliest extensive sixteenth-century treatment of suicide cited by Donne is the "Relectio de homicidio" by Franciscus de Victoria,[41] a professor at Salamanca in the second quarter of the century. This lecture is a careful restatement and analysis of the Christian doctrine received from Augustine and Aquinas; it poses and answers seventeen possible objections to the received orthodoxy that suicide is always a mortal sin. It is representative of its tradition in three respects: first, its defense of the orthodoxy; second, its analysis of the reasons behind the orthodoxy; and third, its recognition that acceptance of the reasoning requires limitations on an absolutely literal construction of the orthodox position. These limitations emerge from Victoria's approach to the issue of suicide, which is essentially a consideration of specific cases in which the moral status of a voluntary death must be judged. For example, it is lawful for a man to put himself in danger of nearly inevitable death by taking a perilous journey or by being a soldier on active duty; it is also lawful to endanger one's health, and so one's life, by fasting and mortifying the flesh. Likewise, one is not obliged to lengthen one's life by moving to a more salubrious climate. And, in a shipwreck, if a king and a servant find themselves on a raft which will sustain only one person, it is lawful for the servant to throw himself into the sea. In each of these cases, an acceptable reason is found to excuse, or even praise, an act which is tantamount to suicide. Victoria asks whether such cases compromise the absolute prohibition of suicide received as orthodox. In fact, his arguments support the orthodoxy by classifying such cases as acts of a sort other than suicide. Victoria's procedure is one example of the style of ethical analysis common to the scholastic theologians Donne studied, that is, a case-by-case approach to moral issues, with the objective of discovering the general principles by which to assess the moral status of each of the alternative acts possible in any case.

The case approach, or "casuistry" (to give its common, if slightly deprecatory, name), is already recognizable in the second part of Aquinas' *Summa theologiae*. Many of the articles into which this work is divided discuss specific ethical problems by asking practical questions; for instance, the issue of suicide is approached by means of the abstract question *Utrum liceat alicui occidere seipsum*, "Whether anyone is allowed to kill himself"

(2a2ae, q. 64, a. 5). In the centuries subsequent to the appearance of the *Summa*, the major literary form among Thomist moral theologians became the commentary on the second part of the *Summa*. Such works would include discussion of Aquinas' theoretical principles in the "prima secundae" or first division of the second part (1a2ae), and of his specific holdings in ethics found in the "secunda secundae" (2a2ae). For both parts, commentators would typically test general principles as they related to specific cases not covered by Aquinas. As the commentators invented more cases with ever greater degrees of particularity, these came to occupy a substantial proportion of the literature. And in addition to the commentaries, there appeared practical handbooks of moral theology: these minimized theoretical discussion, and devoted their entire contents to decisions of cases.

Donne acquainted himself with all levels of achievement in this discipline. The most prominent Thomist he cites is Sotus (1495–1560), a Dominican friar and professor at Salamanca. Of his two works cited in *Biathanatos*, the *De iustitia et iure* (1553) is a full-scale commentary on the second part of the *Summa*, while the *De ratione tegendi et detegendi secretum* is a shorter work of practical casuistry which, with most atypical concentration, studies a single moral problem: the obligation to keep or reveal different kinds of secrets in different situations.[42] A different kind of work used by Donne is that of Martin Azpilcueta (1493–1586), who was usually called, after his birthplace, "Navarre." To judge by the frequency of its printing and of its citation by other authors, Navarre's *Enchiridion sive manuale confessariorum et paenitentium* (first of many Latin editions, 1569) was a formidable authority; the book has some theoretical sections, but its primary purpose is to give an answer to virtually every sort of question that might arise for a judge of moral acts.[43] A third major writer Donne drew on was Ioannes Azorius (1535–1603), a Spanish Jesuit who taught theology at Alcala and Rome; his three-volume *Institutiones morales* (Rome, 1600–1611) was a textbook for his order's instruction in casuistic divinity.

Donne was under heavy debt to another casuist, Gregory Sayre (1560–1602), an Englishman who exiled himself in 1581 to study in Catholic seminaries and become a Benedictine monk. Donne cites three of Sayre's books, but most of his references are to the long article on suicide in Book VII, Chapter ix, of *Clavis regia sacerdotum, casuum conscientiae sive theologiae moralis thesauri, locos omnes aperiens* (Venice, 1605), twelve double-columned folio pages which covered the subject thoroughly from the Roman Catholic point of view. Sayre was not an original thinker, but his research into previous opinion was prodigious, and he brought together a large number of authorities on all sides of the issues involved in the many cases that were considered under the rubric of self-killing. Donne used Sayre's article extensively, both as a representative primary authority and as a source for others' opinions.

The last of the casuists Donne most frequently cites is Ludovico Carbo, an Italian layman. Carbo's *Summae summarum casuum conscientiae sive theologiae totius practicae* (Venice, 1606) is almost entirely derivative from the prevailing fashions of casuistry in the early seventeenth century.

Using primarily these authors whom Donne studied, we can assemble an outline of the general features of casuistic practice which are relevant to Donne's arguments.

In Aquinas' formulation, conscience is an act of applying rationally derived moral knowledge to human acts which are subject to moral judgments.[44] In a so-called case of conscience, there are three factors: first, a general moral law (e.g., that murder is a sin); second, a classification of a specific act (e.g., that a killing in a certain circumstance is a murder); and third, a conclusion in judgment of the act (e.g., that the killing would be a sin in the circumstance given). The conscience is the maker of this syllogism; it attaches its understanding of an act, as a minor premise, to an appropriate major premise drawn from general moral law pertaining to the act. Then it deduces a conclusion which is a judgment of the act's moral status in relation to the general law.[45] Casuistry is the moral science which analyzes cases of conscience; it serves to guide persons such as confessors, who must judge acts forensically, and to guide human agents generally in deliberative moral choices. Casuistry pays particular attention to the circumstances that attend human choices and acts, that is, to the variables which determine the minor premise the conscience dictates. Thus the commonplace definition: casuistry is the application of abstract moral principles to specific cases.

Donne gives a variant of this definition (1418f.), along with his criticism that the casuists "have made all our actions perplexed and litigious *in foro interiori*, which is their tribunal."

Cases *in foro interiori*—in the "inner forum," the court of conscience—were not the only ones casuists addressed themselves to, but they distinguished between cases in the inner court and cases *in foro exteriori*, the outer forum, including civil and other courts. The consequences of verdicts in each court are different. Moral laws are said to obligate those subject to them in two ways, first as breaking them incurs a punishment (obligation *sub poena*), and second as breaking them incurs sin (obligation *sub peccato*). Violation of an obligation *sub poena* results in subjection to the outer forum, where the violator may suffer a penalty imposed by a civil or ecclesiastical authority using an objective, usually codified, standard of judgment. But violation of an obligation *sub peccato* involves the court of conscience, where the effect of guilt is a state of sin. (This is, as we shall see, conditioned to a degree by subjective judgment.) Conviction in the court of conscience may, of course, result in the ultimate punishment, damnation, but the guilty person may escape a humanly imposed penalty.[46] A practical example of the distinction would be the case of one who commits a crime of passion. As Navarre points out, a man who kills his adulterous wife may be acquitted *in foro exteriori*, but may have a mortal sin to atone for in the court of conscience.[47]

Of course, moral theology could not neglect the outer forum, because authorities held that the secular laws of nations, as long as they were just and conformed to right reason, bound individuals *sub peccato* as well as *sub poena*;[48] this issue is of concern to Donne when he treats civil laws against suicide in Part II of *Biathanatos*. But it was the court of conscience that was primary, because of one institutional reason for casuistry's existence: insurance that priests would effectively administer the sacrament of penance. Treatises on cases of conscience began to appear soon after the Fourth Lateran Council had, in 1215, made yearly confession obligatory for all Catholics. In the centuries following, casuists developed rules according to which confessors would learn the precise sin of which a penitent was guilty, and appoint the correct penance for atonement.[49] Navarre prescribes that "a confessor is to examine a sinner's conscience just as physicians examine a sick man's ailment or lawyers a litigant's complaint," and advises that a penitent must not be allowed to remain culpably silent out of ignorance, or inconsideration, or forgetfulness.[50] The information to be extracted from the penitent was not only what act was performed, but also all the circumstances attending its performance, and the casuists were careful to dilate upon how the seven or eight general circumstances of the act could alter its nature. Consequential variables included the status of the agent (private person or public, lay or clerical), the manner of commission (e.g., with premeditation or on impulse), the time and place of commission, the assistance received, if any, and so forth.[51] These variables were crucial as determinants of a sin's gravity *in foro interiori*, measured against acts similar to itself (e.g., perjury vs. the so-called officious lie) and against acts of a different species (e.g., the relative heinousness of perjury vs. homicide).

As much as the casuists may have insisted that there were some acts which, however their gravity varied from case to case according to circumstance, were always sin, Donne recognizes that by their own theoretical principles, "there appears no other interpretation safe but this, that there is no external act naturally evil, and that circumstances condition them, and give them their nature" (4512ff.). His disagreements with the casuists are not founded on a notion of sin different from theirs; his arguments, where they meet most directly the traditional positions of Catholic moral theology, emphasize precisely what the casuists, at least in their theory, emphasized: the most critical circumstance affecting the moral status of any act is the *motive* for doing it. All deliberations of conscience are in a sense declarations of motive, for in them, the agent's conscience states the law that the agent wishes to follow. The analysis of motive, then, answers the question of how the conscience acts, or ought to act; this, to Donne, was the casuistic subject *par excellence*, and to the moral theologians of the sixteenth century there was no question under so much scrutiny as that of how the conscience might be expected to do its job of determining right from wrong in situations of choice.

In a letter to Goodyer, Donne borrowed the terminology of Azorius to play rhetorically on the "diseases of conscience": error, opinion, doubt, and scruple,[52] that is, four conditions in which the conscience is not rectified, or settled in a firm perception of the truth. Three are subjective states involving types of moral uncertainty: in the state of opinion, the conscience judges something true, but recognizes that it may be wrong and that an alternative judgment may be correct; in the state of doubt, the conscience recognizes contrary opinions, but cannot judge either to be true; and in the state of scruple, the conscience feels an apparent and lightly reasoned discomfort or disagreement with something it believes or opines or suspects to be true. A fourth state, that of belief, is as much a subjective state as the other three; here, however, the conscience feels certainty. Error, on the other hand, is an objective state, one in which external authority (e.g., incontrovertible law or fact) shows the conscience to be mistaken in its belief, opinion, doubt, or scruple.

If the conscience is rectified, that is, subjectively certain and objectively correct in its certainty, then action in conformity with it is virtuous. But where the conscience is in one of the uncertain states, practical morality has the task of rectifying it, for to act in an uncertainty of conscience is to admit a flaw in the will. And where the conscience is in error, action will entail serious complications in judgment. Thence derive, in the moral theology of Donne's epoch, the detailed inquiries into the obligations of erring conscience, solutions for the doubting conscience, medicines for the scrupulous, and rules for the adoption of counsels in the opinative conscience.[53]

The centrality of conscience is explicable on two grounds. First is a principle common to Christian moralists at least since Aquinas. Conscience is the voice of primary reason, and so is the voice of God in the individual; therefore, to disobey a dictate of conscience is to will an act contrary to primary reason. One may not, then, disobey one's conscience without incurring some degree of sin, the least degree of which is possession of a bad will.[54] The second ground has to do with the essential criteria for a morally good act: it must be done by choice, it must be done because right reason dictates it, and it must be done consciously, not through ignorance or default.[55] All three criteria require a conformity between the subjective conscience and the objective moral law. Virtuous action in the strictest sense depends, then, upon the rectified state of conscience, and ethical philosophy will devote itself to assisting the conscience to that state. But failing that, ethical philosophy must assess shortcomings, and in many cases weigh the relative gravity of sins against conscience and sins against law.

The pertinence of this analysis of casuistry's treatment of conscience to *Biathanatos* lies in the clues it can give to how Donne argued and to how seriously he argued. This pertinence can be treated under two heads: first, the issue of erring conscience, on which turns the question of whether an immoral act may be excused because the actor believed it was a moral act, and second, the issue of the conscience's adopting one opinion among a set of competing opinions about the morality of an act.

Near the end of Part II, Donne announces for consideration the question of "how far an erring conscience may justify any act" (3816f.), and then, quite correctly, cites from Azorius the generally accepted proposition that an errant conscience, even a negligently errant conscience, binds its holder to obedience. The explication is preceded by Donne's declaration that he will give the common opinion without engaging in "the ambages and multiform entanglings of the schoolmen" over this subject. Donne surely knew his readers would thank him for that; but he surely knew also that one could not cite the common opinion, much less an accurate version of it, without observing certain precise distinctions developed within the scholastic tradition, upon which important moral conclusions depended. To be sure, disobedience of conscience always entailed the general sin of bad will, the wish to flout the right reason to which conscience is witness in the human soul. For a conscience erring *bona fide* (e.g., through an invincible ignorance—the favorite example being Jacob's innocence of fornication with Leah, since he could not have known that he slept with a woman other than his wife), the sin of bad will is avoided when the conscience is obeyed, and the *bona fides* will excuse contravention of the specific law in the act. To obey a conscience erring *mala fide* (e.g., in failing to acknowledge what it must know, like ineluctable precepts of natural law) lacks that security, for while the bad will is avoided, breaking the specific law is in this case inexcusable. To disobey an erring conscience, whether it errs in good faith or bad, yields in every case a sin against the conscience, and this raises the question of whether it is better to do that than to follow the conscience and sin against the law.[56]

The treatment of an erring conscience was among the more complicated problems casuists recognized. There were cases in which they were sure that the conscience should be obeyed because denial of the law posited by the conscience would be worse than violation of the law broken in the act. Donne gives an example of this from Azorius (3836f.): a man believes conscientiously that he kills a starving person if he neglects to feed him, even if he must steal food to do the feeding; since he knows that homicide is a worse sin than theft, he will prefer to be guilty of theft, and risk the penalty *in foro exteriori,* rather than be convicted of homicide in the court of conscience. But there were other cases in which it was thought better to override the erring conscience. An example is the case of a man who conscientiously believes himself obliged to steal to give alms. Here he is better advised to disobey his conscience and not commit the theft, because if he neglects alms he sins against the precept of mercy, but if he consents to steal he sins against the precept of justice. Because the requirements of justice take precedence over those of mercy, theft is the graver fault.[57] In both examples, the critical factor is which general law the conscience wishes the act to conform to; as Donne (citing Carbo) himself expressed this principle in another context, "It is not the conscience itself that binds us, but that law which the conscience takes knowledge of and presents to our understanding."[58]

Appreciating this allows a grasp on one formulation of the problem with which Donne is working, and also on his solution to it. Of one who argued that self-homicide is lawful in certain cases, the traditional moral theologian might conclude that he suffered from an erring conscience and would counsel him, or judge him, in terms like these: "There is a moral law against killing oneself, and the violation of that law will always incur more guilt than will the violation of any other law the conscience may posit; therefore, suicide is never excusable, and the risk of bad will through disobedience of conscience, although itself sin, is preferable to the risk of breaking the law, which would be more sinful still." The presupposition here is that the conscience is incapable of willing correctly a law of higher obligation than the law that prohibits suicide.

Donne's refutation of this argument is based on the recognition that the relative claims of conscience and of law are affected by what law the conscience intends to obey in a given situation. In his affirmative arguments, Donne subsumes the matter of self-homicide under the law which holds that glorification of God is the primary consideration in any moral judgment, and may never be neglected. He expects the universal consent of all rectified consciences—whatever they may believe in other matters—to this law. If, then, the conscience determines that suicide in a given situation falls in the category of acts which glorify God, the error, if there is an error, lies only in the circumstantial determination, that is, in the minor premise. The major premise remains indisputable, and so the act of self-homicide may not be refused, for the conscience has correctly judged that there is no graver sin than neglect of God's glory.[59]

This piece of reasoning, although crucial to the project of *Biathanatos,* is not presented in an explicit way; neither does Donne rest his whole case here. But what is notable about it is its validity when measured by the axioms and norms of the moral theology which itself so strongly upheld the unconditional prohibition of suicide. Donne discovered a means, however limited in application, to break the scholastic argument on its own terms. This tells against those recent interpretations of *Biathanatos* which insist that all its arguments in favor of suicide are specious, or part of an ironic strategy to satirize instead of convince.

The second issue, that of conscientious choice among available moral alternatives, bears as well on the same problem of critical interpretation. Donne introduces this subject early in *Biathanatos* when he mentions the casuists' rule of "an inclination to the safer side" in cases of doubt (1357). Usually referred to as "tutiorism," this view held that a doubting conscience, that is, one unsure in a confrontation with two or more alternatives of action, is advised to choose the alternative which is most restrictive of action, on the assumption that diminishing the risk of sin is the laudable course; in Azorius' definition, the safer side is "that opinion which avoids all risk of sin, or that by which there is no exposure to sin" (I.ii.6). Tutiorism seems to have been the accepted Roman Catholic position on choice from the thirteenth century until the mid-sixteenth.[60] By Donne's time, however, in all but a few areas of judgment, tutiorism would have been considered a refuge rather than an obligation.

The change in thought came about through the influence of the school of Spanish theologians at Salamanca, who explored a more liberal approach to moral choice. In general, their position held that the critical test was not the safety, but the "probability" of an opinion on the moral value of an act. The meaning of "probability" in this context is best understood etymologically, from Latin *probare,* to test, or to prove. An opinion was "probable" if it was defensible in an acceptable way, either through reason or authority or both. Carbo's definition, which is typical, says that it is an opinion "which good reasons confirm and which knowledgeable men follow, not [necessarily] one which has many apparent reasons or many adherents in its favor; . . . it accords with right reason and with the judgment of the prudent" (I, V.xiv). To admit probability as a criterion opens more alternatives to one who would make a moral choice, and debate on a case might then turn upon the relative claims of more probable opinions against merely probable ones. Victoria is the earliest writer to discuss at length the implications of acting on probable opinions in preference to safe ones, but his position remains essentially tutiorist. The same conservatism is reflected in Sotus' pronouncement that "the less dangerous opinion is stronger because less risk is to be had for better reasons, although when both sides are equal in risk, the one supported by more probable reasons is the one to choose."[61]

The radical step was taken by the Salamancan theologian Bartholomaeus de Medina, who grounded his teaching on a perception of two weaknesses in the tutiorist doctrine. First, he thought, it is arbitrarily restrictive of conscience to insist upon its choice of the safer side in doubts; second, it is illogical to judge an opinion probable on the grounds of its soundness and its consonance with accepted authority, and yet forbid action based on it. Medina concluded that if an opinion was probable, it should be permissible to follow it even though a contrary opinion was safer or more probable. Medina's school of casuistry is known as "probabilism," and his approach would remain the most influential attitude in Catholic moral thought from the last decade of the sixteenth century through the middle of the seventeenth, when a concerted movement, whose best-known exponent was Blaise Pascal, sought to discredit it.[62]

Theoretically speaking, the latitude of choice which probabilism offers is potentially its most serious drawback, for it is possible that one may find authorities of probable stature for quite contrary opinions in any case. As Deman, who was sympathetic to probabilism, expressed this objection, "on risque d'y faire bon marché à la vérité," the consequence of which can be the morally debilitating "divorce de l'action et de la conviction intérieure."[63] In effect, if a good many pertinent opinions are probable in a case, the agent may choose one that suits his convenience rather than the one he would believe correct if he exercised his conscience. The aim of probabilism was not to license any such laxity; however, in widening the scope of moral choice and challenging the conscience not to content itself with mere security, it could as well tempt the morally indolent who sought mechanical expedients for avoiding the exercise of conscience.

Donne was especially sensitive to this potentiality in probabilism. He makes no explicitly judgmental statements on it in *Biathanatos,* but direct references he makes to it elsewhere have been collected by A. E. Malloch, and all of them exhibit a sharply critical attitude toward this school of moral theology.[64] Characteristic and most explicit in its criticism is a passage from an undated letter, addressed probably to Goodyer. Donne speaks of a lamentable tendency of Christians to accept dogmas "in a lazy weariness" in order to end controversies,

> to which indisposition of ours the casuists are so indulgent as that they allow a conscience to adhere to any probable opinion against a more probable, and do never bind him to seek out which is the more probable, but give him leave to dissemble it and to depart from it if by chance he come to know it.[65]

Donne's frequently (and often eloquently) expressed antipathies to moral laziness have lent some credibility to one of Malloch's contentions in support of an indirective reading of *Biathanatos.* This is the claim that Donne adopts the casuistic method, and probabilism in particular, throughout the work as an ironic stance. The issue is an important one, and some review of Malloch's leading interpretive ideas is therefore in order.

Malloch characterizes *Biathanatos* as a "paradox." So, of course, does Donne, in the title of the work and in his peroration (5482). A seventeenth-century reader, coming to the work without preconceptions, would initially read the word "paradox" on the title page—"A Declaration of that Paradox or Thesis, that Self-Homicide is not so naturally Sin that it may never be otherwise"—in its most common renaissance meaning, that of a proposition *para doxa,* contrary to generally accepted belief. The word would have been routinely applied to anything so unconventional as an offer to defend suicide, and would be understood in much the same sense as, for example, Erasmus' calling Luther's denial of human free will a "paradox," implying only that the opinion was questionable owing to its inconsonance with what is believed evident, and certainly not suggesting that Luther meant other than what he said.[66] In that sense, *Biathanatos* is unarguably "paradox." But Malloch understands it as paradox in a stronger sense, one of the several meanings of the word in renaissance literary nomenclature: a mock defense of some outrageous or heterodox position, undertaken perhaps for mere display of wit, perhaps for more serious aims, but in all cases employing a rhetorical mode that succeeds in revealing the spuriousness of the case presented in defense of the position.[67] Donne himself had written, some years before the composition of *Biathanatos,* a number of short paradoxes of this sort. Following a clue from a remark Donne made in a letter mentioning them, Malloch takes *Biathanatos* for one among the serious kinds of paradox, one designed for more than amusement; as Donne had put it in the letter, "If they [i.e., the paradoxes] make you to find better reasons against them, they do their office."[68]

Hence Malloch's interpretation: Donne's argument favoring suicide is an exercise in indirection, and Donne would have his reader find the "better reasons" against the proposition that suicide is not always a sin. The alert reader, Malloch believes, will do so by recognizing in Donne's ostensible argument the specious logic that sustains it, a tissue of fallacy that becomes at some point so evident that its author can only be believed to speak ironically. Upon recognition of the explicit argument as dross—ultimately incoherent and irreverent—the reader is stimulated both to refutation (supplying the "better reasons") and to independent assessment of the issue of suicide, as well as other issues raised by the text.

Briefly put, Malloch proposes that voluntarism, the doctrine of man's will as a law unto itself, is the ironic mask Donne assumes to argue the licitness of suicide, and that probabilism is the ethical platform adopted in support of voluntarism. As Malloch claims, "there is no better way to vindicate the supremacy of the will than to depress the importance of knowledge and moral training."[69] Indulgent probabilism does just this; according to Malloch, it is Donne's advocacy of such probabilism which explains the work's tendency "to neglect the claims of truth as a guide in moral action and to rely consequently on external opinion as the lawmaker."[70] The claim, then, is that the face of *Biathanatos* is not so much an argumentative discourse as an indiscriminate canvass of opinion. Once collected, the opinions are not scrutinized for their truth or falsehood, but simply accepted or rejected. This strategy's task is that of "reducing the part of the [moral] agent to a simple consent or refusal of the will," which is what voluntarism amounts to.[71] The style of *Biathanatos*, especially in Part II, impresses Malloch as a parody of probabilistic casuistry;[72] the endless citation of authority and counter-authority has the effect of saying that, in such profuse richness of opinion, even the act of suicide may with probability be defended and chosen. Such is the consequence when discipline of conscience is neglected in favor of free choice among a collection of opinions.

Answering Malloch's characterization, one may easily concede that Donne's presentation of casuists' opinions is often uncomplimentary, at times even satiric. But this fact does not entail Malloch's position that the work undermines its own reasoning, or Webber's that it satirizes all reasoning; there is no reason to suppose that Donne credited all the opinions he cited.[73] A straightforward purpose in the work would not require assent to them, for their use is not intended to be conclusive. Donne uses the casuists' opinions on particular moral issues, especially in Part II, largely as premises in arguments of the *a fortiori* and *reductio ad absurdum* styles; he shows, in effect, that if the casuists hold such-and-such an opinion to be probable, then consistency requires them to admit what follows from that opinion to be probable; or, if they condemn suicide on such-and-such a ground, then the logical consequences of that ground require them to allow something which they elsewhere condemn. Thus, Donne's use of these opinions is, as others have noted, overwhelmingly critical; he uses them principally to attack "the tyranny of this prejudice" against suicide (1274), and so to sustain one necessary phase of his straightforward aim.

If there is any sense in which the argument of *Biathanatos* is probabilistic, it is restricted to this: Donne allows any opinion held by a reputable writer as a probable one, and he usually makes no effort to discriminate the probable from the more probable. What comes from a commonplace writer like Carbo seems to have as much the status of probability as that from a thinker of real power, like Sotus; and Sotus' opinions are as probable as those of Aquinas himself. One consequence of this levelling is critically interesting. At II.iv and II.v Donne examines "the reasons which particular men have used" (2837) to prohibit suicide, and in this examination all authorities suffer an equal demotion. The opinion of no single thinker, of whatever reputation, has the status of positive laws instituted by the communities of state and church, and the opinions of the individuals are subjected to a criticism rather more destructive than that applied to the legal prohibitions. Donne finds the root of legal restrictions on suicide to lie in prudential rather than, strictly speaking, moral grounds, but he does not argue that the laws are invalid for that reason. But in scrutinizing the arguments of individuals, Donne most frequently works to find no soundness at all in their prohibitions. One may infer from this that the status of a probable opinion in Donne's discourse is not that of automatic acceptability.

Analogous to this is a certain even-handedness with respect to authority that Donne maintains. It is unfair to charge him with indulgent lack of discrimination throughout. Comparisons will show that the more intelligent casuists, Sotus and Azorius, are treated with respect, more respect in fact than the Protestant Peter Martyr receives. The scriptural expositions of Calvin are regularly accepted, but his crucial dogma of double predestination is denied (1340ff.). St. Augustine is praised and blamed *passim*. St. Jerome is congratulated for his relative liberality on suicide, but criticized for his intolerance towards Vigilantius. Aquinas is accorded the respect due his position, but he is neither infallible (3462ff.) nor invariably edifying (4870ff.). The Protestant Bèze is commended for his learning and condemned for his political opinions and inordinate wrath in controversy. Even Daniel Mallonius, whose wholesale acceptance of visionary rubbish must have offended Donne, can be credited with "good and wholesome incitements to devotion" (4837). Were the voice of *Biathanatos* so indulgent and so unconscientious as Malloch claims, we should expect to find less discrimination, less critical intelligence, and less expressed conviction.

Like almost all interesting texts, *Biathanatos* is not a mere logical diagram: it is not barren of rhetorical play, it does not eschew non-literal language, and it does not suppress its author's individuality. There are certainly features in it which might be made to serve paradoxical or satirical ends. The range of Donne's humor, for example, is extensive: it can be understated, it can be urbane in ridicule, and it can be pointedly sarcastic.[74] There are places where, perhaps for humorous or ironic effect, he makes ostensibly straightforward use of patently disreputable sources (St. Bridget's *Revelations*, Forestus' *Supplementum chronicarum*, Surius' *De probatis sanctorum historiis*). Such elements, however, are subject to interpretation in their own contexts, and no arguments have been offered to show that, taken together, these elements comprise adequate evidence for a pervasively ironic aim in the work.

More serious are the instances where Donne's use of sources entails distortion or misrepresentation of them. Donne has in fact been described as an author who characteristically treats his sources cavalierly,[75] or who typically adapts and adjusts his citations to meet the needs of rhetorical manipulation.[76] There are grains of truth in both charges, but the thorough investigation of Donne's sources made for this edition shows that neither claim deserves credence as a basis for interpretation. Donne was not invariably fastidious in his citations, but his record is not an especially poor one. About ten percent of the marginal citations in *Biathanatos* require some correction, usually in no more than a book or a chapter number. Perhaps ten citations are outright mistakes, some of which might be taken as misleading. Of the most consequential sorts of abuse—misrepresentation of authority through out-of-context quotation or incomplete quotation, or through invention or plain misstatement—we have found Donne guilty seven times;[77] how seriously these affect the credibility of his discourse is disputable, but ironic misrepresentation of sources in the interest of discrediting the discourse is no more plausible an interpretation than either that of unscrupulous misrepresentation with the aim of strengthening it, or that of honest error. In any event, the numerical incidence of such errors and distortions is not significant enough to sustain a claim for a consistent and self-conscious strategy of deceitfulness.

There is one more such rhetorical element said to be pervasive in *Biathanatos*. Long before Malloch wrote, readers had objected to the style in which the work was composed. In calling it "labyrinthine," Malloch was only seconding a nearly universal criticism, but he was the first to assert an artfulness in this: "This labyrinthine style makes it difficult for a reader to follow the most unimpeachable reasoning: in *Biathanatos* it covers a multitude of equivocations."[78] And from Colie, one receives the extreme assertion of the brilliance of Donne's trickery: "Donne knew *exactly* [her italics] what he was doing in this successfully confusing work."[79] Parts of it, even thematically crucial parts (e.g., III.iii.3), are indeed notable for involuted prose; the characteristic difficulty is Donne's seemingly adventitious piling of concessive clauses one upon another, with an indifference to clarity of reference and sequential coherence. But how successfully this will confuse a reader depends to a considerable degree on the reader's effort. The careful reader will find that not all Donne's involuted prose covers equivocations, and that when care is given to unravelling the syntax, Donne's meaning is unconfusingly straightforward. Thus, the careful reader may judge the writer to be an inadequate stylist, rather than one attempting deliberate obfuscation. The hypothesis of deliberate obfuscation has no more to recommend it than one which claims that Donne had not yet acquired—if he ever did acquire—the ability at syntactical organization in English prose necessary to discuss legal and moral theology with technical sophistication yet with art.

An ultimate answer to the indirective readers of *Biathanatos* is impossible, however, as long as that school of criticism can assert that the work's difficulties are its virtues, and that its interpretive cruxes are intentionally mysterious and insoluble. Their arguments may not be strong enough to establish that *Biathanatos* is a self-annihilating paradox, but the contrary cannot be established either, without offering to show that the work is in fact what the indirective school say it is not, an inquiry into whether suicide is ever justifiable. The one way to establish that *Biathanatos* is a straightforward work, straightforwardly intended, is to discover in it a sustained, coherent, and significant argument concerning its ostensible subject, one which Donne would have had no reason not to accept.

To that task we now turn.

In preparing to examine Donne's argument in *Biathanatos,* we must first take account of three assumptions upon which this argument depends. Donne neither discusses nor attempts to defend these assumptions; they serve, however, to determine the character and scope of his inquiry. Thus, they have important consequences for twentieth-century readers who wish to assess the soundness of the argument Donne is pursuing.

First, Donne is inquiring into the moral status of *all* acts of self-killing and partial self-killing, not just those we, as speakers of contemporary English, term "suicide." In contemporary English usage, the term "suicide" retains strong negative connotations, and is typically applied only to self-killings which are regarded as morally repugnant. We do not usually use the term "suicide" in connection with morally praiseworthy self-killing, but tend instead to choose terms like "heroism" and "self-sacrifice."[80] To cite the standard examples, we do not usually call it suicide if a jet pilot crashes with his plane, although he could bail out, in order to steer it away from a crowded schoolyard; we do, however, call it suicide if a young man leaps from a bridge in order to get even with his girl friend. The logic of the ordinary term "suicide" appears to be extremely complex;[81] Donne's inquiry, however, is wider than this term's bounds.

Of course, Donne does not use the term "suicide" at all; the word did not make its appearance in the English language until about fifty years after Donne wrote *Biathanatos.*[82] The term

Donne uses throughout *Biathanatos* is "self-homicide"; it covers any self-killing and partial self-killing, regardless of the motivation behind it and the moral judgment which might be appropriate. It is significant, of course, that Donne uses "self-homicide" rather than the then-prevalent term "self-murder" to describe what we now call "suicide"; evidently, he sought to avoid the extremely negative moral and legal connotations of the term "murder," and to avoid prejudicing his inquiry by using that term. (It is also significant that many of the hostile replies to Donne in the period immediately following publication of *Biathanatos* do not respect Donne's choice of a non-prejudicial term: John Adams' 1700 attack on Donne, for instance, is entitled *An Essay Concerning Self-Murther,* and there are others also reverting to the then-common term.) We will often describe *Biathanatos* as "Donne's defense of suicide" and use this term loosely in our account of his argument; it will be open to the contemporary reader, however, to argue that Donne does not defend *suicide,* in the contemporary English sense of that term, but rather that what he defends are other sorts of self-killing which we would not count as suicide. Indeed, such definitional strategies were already used by sixteenth-century moral theologians,[83] although their discussions were conducted, of course, with different linguistic terms. Furthermore, the contemporary reader might argue, it is also compatible with Donne's defense of some self-killing to claim that *suicide,* as we use that term, is always wrong. Whether such claims are true we will be able to determine only after we have examined Donne's argument in detail.

In *Biathanatos,* Donne argues that suicide is not always sin. Second among the assumptions which inform this argument is the assumption that suicide is the kind of thing that could be sin: viz., a *voluntary* act. This assumption stands in stark contrast to the view of suicide prevalent in much of twentieth-century clinical and sociological thought. Although quite diverse in other details, contemporary scientific views widely hold that suicide is almost always associated with depression or other mental illness, and hence in some sense beyond the voluntary control of the individual. Indeed, the contemporary scientific view of suicide has tended quite strongly to reject precisely the kind of moral discussion Donne undertakes, since it does not accept Donne's assumption that suicide is a voluntary act.

This is not to say that Donne does not recognize pathological elements in suicide. He confesses his own "sickly inclination" to end his life, which apparently "often" occurs (1090); the modern clinician may recognize in this any one of several psychiatric conditions involving recurrent suicidal tendencies. Then too Donne says that anti-suicide laws are necessary because of the "infirmity and sickness" of the nation (2762); this is an explicit metaphor of pathology. He also recognizes that suicide can proceed "from desperation" (1281), although he objects to those who hold that it is always so; we may choose to recognize this as a description of suicide in depression or in extreme anxiety, both conditions in which we tend to regard acts as not fully voluntary, and assign diminished responsibility. Yet Donne, like his contemporaries, holds that acts undertaken from despair may be voluntary; indeed, acts done from despair are sins.

It is true, of course, that the church did exempt from its burial restrictions and other sanctions the person who committed suicide while insane; Donne does not discuss these cases. Similarly, the civil law of England recognized procedures for declaring that a suicide's act had occurred "while the balance of his mind was disturbed"; if so, the individual could not be held responsible, and was not *felo de se.*[84] Donne does not discuss these cases either. Perhaps he would have recognized that some cases of suicide do occur which are not genuinely voluntary. But strictly speaking, these cases are irrelevant to his discussion of whether suicide is *sin*; only under a conception of suicide as a voluntary act is it intelligible to inquire, as Donne is doing, whether this particular act is sin. Cases of suicide during insanity or while "the balance of the mind is disturbed" are not sinful, perhaps, but they are not of moral interest either.

The third of the central assumptions underlying Donne's work is that it is *sinfulness*—i.e., disobedience to God—which makes suicide wrong. This assumption also contrasts quite starkly with contemporary views of suicide, not only because ours is a less religious age, but because Donne's view gives very little attention to the social consequences of suicide. In the traditional religious view underlying Donne's assumption, one can of course sin by mistreating one's fellow human beings, but sin is primarily a matter of disobedience to God. For the traditional view and for Donne as well, what is centrally wrong with suicide, at least in cases where it is wrong, is that it defies God's will. Contemporary writers, on the other hand, tend in arguing for the moral wrongness of suicide to emphasize the very damaging effects the suicide of an individual can have on his or her survivors; these include both direct psychological injury, such as grief, guilt, and severe emotional disturbance, and peripheral losses like social ostracism, increased responsibilities for care of dependents, and financial difficulties; such consequences are often taken as a very strong reason why suicide is wrong. For Donne, in contrast, suicide is primarily an issue between man and God, and secondarily, perhaps, between man and the state. Although in III.iv. Donne does begin to speak of acceptable suicide as that done "with charity" (4762f.), he does not give sustained attention to the moral issues generated by the damaging effects suicide can have upon one's immediate family and friends. In this respect, Donne is quite representative of his age; objections to suicide based on its effects on close survivors do not arise with much force until the eighteenth century, and only in the twentieth century are they viewed as central.

With these assumptions in mind, let us turn to the explicit argument Donne pursues. It is a complex argument and not entirely easy to follow, though its difficulty is due as much to the demands of the prose in which Donne writes as to the intricacies of the argument itself. Once the outlines of the argument have been revealed, it will, we think, be evident that Donne's treatise presents a single, sustained, coherent, and original argument, directed toward a highly specific conclusion.

In the Preface and in the opening sections of Part I, Donne announces the conclusion which his treatise is to defend: that although suicide is universally regarded as sin, and although it is very frequently conjoined with sin, it need not always be sin. "Self-Homicide is not so naturally Sin," his title page is inscribed, "that it may never be otherwise" (3-4).

It is important to be clear at the outset about the limited scope of this project. Donne does not attempt to show that suicide is never sin. Nor does he defend the libertine thesis that suicide is a matter of right, or that it is the individual's due. Donne's argument does not license suicide at will. Rather, Donne argues that although suicide may in many or most cases indeed be sinful, in certain distinct cases it is not. Suicide is not *inherently* sinful: its moral status depends on specific circumstances of the act. Thus, Donne sets only a limited challenge to the then-prevailing thesis that suicide is the most heinous of sins.

Donne sets this challenge for two reasons. First, he challenges the traditional position that suicide is always sinful because that position is, in his view, false. But the veracity of this view had not traditionally been questioned; "none brings the metal now to the test, nor touch," he complains, "but only to the balance" (1263), and the only previous discussion of the morality of suicide has concerned its degree of sin. Thus, Donne seeks to correct a widespread false belief.

Second, Donne presses this challenge because the traditional belief has particular and very undesirable consequences beyond its simple falsity. The belief that suicide is "above all other sins irremissible" (1272) is so pervasive and so completely unquestioned that it leads other persons to be "uncharitably severe" (1292) in their treatment of those who attempt or commit suicide. Uncharitable severity in the denunciation of those who attempt or commit suicide is of course unfortunate for the deceased and their survivors, but it is unfortunate for an additional, more subtle reason as well: this uncharity is *itself* sinful, and thus brings sin not only upon those who commit suicide but also upon those who condemn persons who do. Thus Donne sets out to remove a prejudice which is harmful both to those who are the objects of the prejudice, and to those who hold that prejudice; in showing that suicide is not always sin, he prevents the sin that would be incurred by those who take it to be so. Furthermore, as we shall see at the conclusion of this argument, the removal of this prejudice will for the first time make possible an accurate assessment of the death of a centrally important figure in Christian history, an assessment which cannot be accurate as long as the anti-suicide prejudice persists.

After this announcement of his purpose in *Biathanatos,* Donne considers three general arguments to show that suicide is always sin: (1) it is always the product of "desperation"; (2) it is the mark of impenitibleness, or an impossibility of being saved; and (3) the act of suicide itself precludes repentance, and so ensures that its victim dies in a state of sin. Donne disposes of these general objections quickly: (1) not all suicide is the product of desperation, he argues, but often results from heroism and devotion to God; furthermore, desperation itself is not always sin; (2) there is no more reason to suppose some persons impenitible than impeccable, and no reason, furthermore, to suppose that those who do commit suicide are those of whom impenitibleness should be suspected; and (3) although suicide does bring about death and often in a very rapid fashion, repentance is instantaneous and may occur without any outward mark. As Robert Burton would write in his *Anatomy of Melancholy* only a dozen or so years after the composition of *Biathanatos,* repentance, and hence God's mercy, may come "betwixt the bridge and the brook, the knife and the throat."[85] Thus the three general arguments do not succeed, Donne concludes, and one cannot infer from the fact that a person committed suicide that he or she died in sin.

But if Donne's objective in *Biathanatos* is to show that suicide need not always be sin, crucial to this project will be the definition or characterization of sin he employs. Received from Augustine is a definition of sin as "a word, deed, or desire contrary to the eternal law of God" (1415). Thus, suicide might be construed as a deed and desire contrary to the eternal law of God, and hence as sin. But, as Donne points out, since the Augustinian conception of eternal law is equivalent to the notion of "world order" or "providence"—*ratio gubernativa Dei*—then, since this law is not always fully revealed, it need not be sin to resist at least some features of it. For instance, Donne points out, "I may resist a disease of which God had decreed I shall die" (1434); to do so is not sinful, although it in fact involves a deed and desire contrary to the eternal law of God.[86] Thus suicide, or attempts at suicide, cannot be shown on this basis to be sin.

Donne adopts, as a refinement of the unitary account of sin in Augustine, a tripartite definition he attributes to Thomas Aquinas: "sin is an aversion from a properly ordained end, and is against the rule of nature, or of reason, or of eternal law" (1444). Donne recasts this tripartite definition in his own terms: sin is the violation of "the law of nature," the "law of reason," or "the law of God" (1452), and it is this tripartite characterization which is to supply the fundamental structure of the argument in *Biathanatos*. For Aquinas and thus for Donne, the "law of nature" comprises moral imperatives derived from the physical and biological laws of the universe; the "law of reason" includes positive, behavior-regulating law as formulated in human legal systems and codes such as civil law, canon law, and other explicitly stated sources; the "law of God," revealed explicitly or implicitly in Scripture, is that law which adds to natural and social law the precepts upon which salvation depends. In this tripartite definition, the concept of divine law is not given that "vast and large acceptation" (1447) which it had had in the Augustinian view, and thus escapes the initial objection Donne considers.

Structurally, then, Donne's *Biathanatos* parallels Aquinas' own application of his tripartite definition of sin to the question of suicide; this is found at *Summa theologiae*, 2a2ae, q. 64, a. 5. In the *Summa*, Aquinas argues that suicide is "wholly unlawful" for three reasons: (1) because "suicide is contrary to natural inclination" (i.e., it violates the divinely ordained human physical and biological law); (2) because "he who kills himself injures the community" (i.e., he violates human social law rationally derived from divine natural law); and (3) because "life is God's gift to man" (i.e., suicide violates the divine will that man shall live, which will is expressed in God's gift of life). *Biathanatos*, however, is not merely a reply to Aquinas' discussion of the issue of suicide; generally speaking, the considerations Donne brings are much broader than those Aquinas actually treats in the *Summa*. What Donne does instead is to follow Aquinas' tripartite division for the definition of sin, rather than Aquinas' actual discussion of suicide, and what Donne shows is that the several parts of this definition of sin, even when reapplied to suicide in a more thorough fashion than that of Aquinas, will still not succeed in proving suicide always wrong.

The structure of *Biathanatos* may tempt one to see it as a primarily destructive or critical work, designed to show that any account like Aquinas', however full, is likely to fail. But although a major effort of *Biathanatos* is critical, each of the three parts of this treatise is also constructive in intent; each presents a positive alternative account. It is here, in these constructive portions of *Biathanatos,* that Donne's extraordinary and original contributions to the discussion of suicide are made.

The central issue in Part I is to determine whether suicide constitutes a violation of the law of nature. However, Donne acknowledges at once that the traditional concept of "law of nature" is so obscure and variable that "I confess I read it a hundred times before I understand it once" (1487). Consequently, he begins the formal argument by considering a number of variant formulations; precisely how many distinct characterizations of the law of nature are considered here is not easy to discern, but at least four are presented conspicuously in the text. For Aquinas, Donne claims, the law of nature is "the nature of every thing," or rather, "the form by which it is constituted" (1590); this, for man, is *reason*. Alternatively, the law of nature is sometimes said to be that law which prohibits "unnatural lusts" (1623) such as sodomy. A third characterization of the law of nature describes it as the law enjoining self-preservation (1681); a fourth, perhaps not fully distinguished from the third, expresses this law in the moral maxim "fly evil, seek good" (1701).

Under none of these formulations, Donne argues, does the law of nature always preclude suicide. However, the way in which Donne pursues this argument may at first seem quite obscure, and although Donne himself does not return at the end of Part I to a discussion of these claims, it is not until that point that we can fully understand the basis of his argument. Let us look, rather, at the central argument as it is developed in Part I, and return to the various formulations of the law of nature at a later point.

Although Donne makes only passing reference to Aquinas' explicit discussion of suicide in the *Summa theologiae,* and although his discussion will move well beyond it, the principal argument in Part I does appear to begin as a direct reply to Aquinas' discussion in that text. Aquinas held that suicide is unlawful because:

> . . . every thing naturally loves itself, and it is thus proper for every thing to keep itself in being and resist decay as far as it can. Therefore, to kill oneself is contrary to natural inclination, and contrary to the charity by which one ought to love oneself.[87]

Although this point may be disputed, Aquinas' thesis appears to be an empirical one: it observes the evident tendency of things, both inanimate and animate, to "remain in being" or persist over time. Such observations might include both the continuing existence of such objects as rocks or mountains, and the struggles of plants and animals to remain alive; man, too, "resists corruption," that is, death, as far as he can. Since mankind, like all other things, "naturally keeps itself in being," Aquinas concludes, suicide is always sin, since it is contrary to this natural law.

Several immediate objections can be posed to Aquinas' argument. First, a single counterexample—just one suicide—would be sufficient to defeat Aquinas' claim that *every* thing naturally keeps itself in being. Second, if the initial premises of this argument are indeed empirical, Aquinas is committing what is often called the "is-ought" fallacy, arguing from an observed fact about human behavior—that men *do* struggle to remain alive—to a normative principle of human behavior, that men *ought* to remain alive. But although he makes some use of the first of these objections to Aquinas' view, neither is the real basis of Donne's attack; he argues, rather, that the empirical premises should have been different. It is with this assertion, contained within his discussion of the law of nature as the law of self-preservation, that Donne launches the positive part of his overall argument.

Man, Donne asserts as a counterthesis to Aquinas' claim, has a "natural desire of dying"; this is a fundamental trait. It is, he holds, a trait "which nature had bred" and which, as he will demonstrate, "custom confirmed" (2219); it is part of the natural constitution of man. This thesis, that man has a *natural* desire to die, is perhaps the most original and far-reaching thesis of Donne's work; it is the foundation upon which the continuation of his argument is built. Indeed, it is particularly characteristic of Donne; it is stated or reiterated by virtually no other thinker in the history of the philosophical consideration of suicide, either before or after Donne, and one may well suspect that it has its roots in Donne's own individual psychology. In fact, in the Preface and perhaps, indirectly, again in the Conclusion, Donne acknowledges the frequency and strength of his own desire to die. But his thesis is *not* an autobiographical one. He does not rely on autobiographical or introspective evidence for the case which he is arguing. Rather, the major effort of Part I is to adduce *independent* reasons for believing of others what he introspectively finds true of himself. That men have a natural desire to die may indeed "prevail much" with Donne, but he does not treat it as a fact to be established by reference to himself alone.

The evidence for the claim that man has a "natural desire of dying" occupies a very large portion of Part I. Chief among the types of evidence Donne produces are the list, in Section 3 of Distinction ii, of nearly two dozen classical suicides, and in Distinction iii, the account of the enormous scale of voluntary martyrdom among the early Christians. These two bodies of evidence are empirical in character; they recite fact, or what Donne would reasonably have believed to be fact, about the frequency and practice of suicide. But to see the way in which the evidence Donne amasses is used not only to defeat Aquinas' view that "every thing naturally keeps itself in being" but also to support the positive thesis that man has a "natural desire of dying" requires more than superficial reading of the text. The list of twenty-two classical suicides taken from commonplace sources which Donne recites in Section 3 may appear to be burlesque: he mentions, in quick order, the suicides of Petronius Arbiter, who slit his veins, of Herennius, who beat out his brains, and Comas, who killed himself by holding his breath. The apparent comedy is not restricted to the manner in which the suicides are performed; equally conspicuous is the variation in motivation under which these suicides occur. Some are suicides of pleasure or are associated with its loss, like that of Petronius Arbiter; some are suicides of spite or bravado, like that of Othryades; some are suicides of vanity, like Festus' death "to hide the deformity of a ringworm in his face" (1879). Some are heroic, like the death of Codrus; some are utterly foolish, like the suicide of Portius Latro to "cure" himself of a fever. But despite the apparent burlesque of these examples, they serve a serious purpose in the argument Donne is advancing: they work to establish his claim, that the desire of dying exhibited in these cases is natural, by showing that it is operative in all sorts of circumstances, not just some. Were he to supply examples, say, of heroic suicides only, or only those with religious motivation, his argument would be open to the objection that only certain persons in certain circumstances exhibit a desire of dying, and thus that the desire is not "natural" after all. Here is the way Donne expresses the interim conclusion he wants to reach:

> You can scarce imagine any person so happy or miserable, so reposed or so vain, or any occasion either of true loss, or of shamefastness, or frowardness, but that there is some example of [suicide in connection with] it. (1889)

Donne does not, of course, rest his whole argument on two dozen cases taken largely from a single collector of commonplaces. As stronger evidence for his claim, he adduces examples from large-scale practices in voluntary martyrdom, mass suicide, and other kinds of elective death. Donne does not confine himself to Christian examples; he refers, for instance, to the mass suicide of Jews at Masada, to suttee practices in India, to suicides of loyalty to one's master among the Gauls, to Roman gladiators (30,000 in one month, he quotes Lipsius as claiming), and to the suicides of New World Indians, who were tricked out of killing themselves only by the Spaniards' threat to pursue them into the afterlife by doing the same. But the strongest evidence of the desire to die, Donne holds, does in fact come from the Christian era, and it is to this that Donne devotes most of his interest.

The accounts of the character and scale of voluntary martyrdom during the early Christian era may astonish the contemporary reader, though these accounts are taken both from ancient sources and from the most scholarly church historians of Donne's day, and thus constitute material Donne would have every reason to believe. For instance, Donne cites the case of Germanus, who, when thrown to a wild animal in the Roman arena, "drew the beast to him, and enforced it to tear his body" (2130). He recounts the story of a woman of Edissa, who, when a particular temple had been prohibited to Christians and their protests were likely to invite reprisals from the Romans, "dragged her son through the streets," explaining that "I do it lest when you have slain all the other Christians, I and my son should come too late to partake that benefit'' (2154ff.). He portrays a Christian legion of 6,666 which allowed itself to be slain "by iterated decimation," and is imitated in suicide by an "old wretched man" (2157 ff.). It is these accounts which, for Donne, are most effective both in undermining Aquinas' claim that "every thing naturally seeks to keep itself in being," and, more importantly, to establish his own claim that human beings in fact have a natural desire to die.

In this claim, Donne may seem to anticipate the later death-wish theories of Freud, who posits a self-destructive tendency, companion and competitor to an erotic and self-preserving tendency, as a fundamental component of the human psyche. And it may seem that Donne will be faced with similar difficulties in explaining the coexistence of incompatible "natural" desires both to live and to die. To equate Donne's "natural desire of dying" with the Freudian death-wish, however, or to assume that it is incompatible with the natural desire to live asserted by Aquinas, may be hasty, and may tend to distort Donne's view. This is because the "desire of dying" Donne postulates is not a *destructive* tendency, although it certainly involves a readiness to discard one's body. Rather, Donne seems to conceive of this natural desire of dying not as a desire to cease to exist, but to change the conditions of one's existence from that of an earthly life to a spiritual afterlife. Man, for Donne, is "*angelus sepultus*" (1809): a spiritual being entombed in a fleshly body, whose characteristic and natural labor is to free himself from its confines. Thus, activities which lead to death are not unnatural, nor need they defy the imperative of self-preservation; indeed, they are fully consonant with the notion of self-preservation, if by that one understands the preservation of the "best part" (1787) of oneself. Thus, suicide itself need not be construed as "self-destruction," as modern students of suicide tend to interpret it, or as a desire for "self-annihilation," but may be seen as a measure of the strength of one's belief in an afterlife, and in the spiritual comforts to come: it assumes the survival of the essential parts of oneself, and one's transmutation into a spiritual being in a new and better world. It is, in modern terms, not "self-destructive" but "self-affirming," a natural and healthy desire.

A second feature is evident in Donne's view of the desire of dying as a natural desire: like any natural desire, he holds, it increases in prominence and strength whenever it is permitted to do so. Thus, the natural desire of dying is not a uniquely Christian phenomenon; it will flourish wherever legal, cultural, and religious restrictions are few. But it has been strongly encouraged within Christianity, both by the example of a savior "who chose that way for our redemption, to sacrifice His life and profuse His blood" (1996), and by the particularly vivid promise of a non-bodily, spiritual afterlife. It is Christianity, one might say, which permits the fullest expression of man's nature as *angelus sepultus,* and encourages him to free himself from bodily confines in order to attain a beatific state. Hence, although the practice of voluntary death is widespread in many cultures of the world, it is particularly frequent in Christian times.

The cases Donne advances as evidence do not in any rigorous sense establish his point, that man has a natural desire of dying, nor that this desire is as strong or stronger than the desire to live. Nor do they establish that one may or ought to behave in a way consonant with this desire of dying. But they do emphasize the ubiquity of the phenomenon of self-killing and its fluctuation and increase at times when it is socially, legally, and religiously approved.

From the evidence he assembles, Donne draws the central conclusion: since the desire to die is a natural desire, it is therefore in accord with natural law. Thus it cannot be intrinsically sinful, contrary to what the tradition has assumed. This completes the refutative portion of Part I; Aquinas is wrong, and suicide is not necessarily contrary to natural law.

But Donne's account of the "natural desire of dying" is not yet complete. He has claimed that self-killing is widespread and that it will increase when legal and cultural circumstances permit; in doing so he points to some of the mechanisms by which such increases are encouraged. In I.iii.2, for instance, he cites some of the teachings Clement, Tertullian, and Cyprian employed to "invite" (2000) the early Christians to martyrdom. Clement said that death was not naturally evil, and that martyrdom was the beginning of another life. Cyprian held that those who were martyred in this world would be rewarded in the next. And Tertullian was found everywhere to be a "hot encourager" of martyrdom (2260), so intensely did he incite men to choose to die. This is not to say that Clement, Tertullian, Cyprian, and others like them forced upon the early Christians a martyrdom they would not otherwise have chosen; their persuasions were not such, Donne says, "as would have entered any in whom a natural inclination had not set open the gates before" (2021). But these incitements to martyrdom, along with various external honors accorded the martyrs, reveal another feature of the natural desire to die: the ease with which it can be corrupted.

Like the natural desires for food and for sexual activity, the desire of dying is natural, and not in itself evil or sinful; yet these other desires can be turned to gluttony and lust. It is this, in the end, which gives rise to the *problem* of suicide. The history of the increasing practice of martyrdom in early Christianity is the history of the increasing corruption of an innocent natural urge, and while Donne hastens to insist that he not be misunderstood as denying the value of martyrdom, he insists that one must acknowledge "that those times were affected with a disease of this natural desire of such a death" (2109). The same claim occurs in his letter to Goodyer, marking the corruption of the natural desire to die as not just an affliction of the early Christian community, but as something Donne himself felt as a continuing risk:

> Two of the most precious things which God hath afforded us here for the agony and exercise of our sense and spirit, which are a thirst and inhiation after the next life and a frequency of prayer and meditation in this, are often envenomed and putrefied and stray into a corrupt disease. . . . With the first of these, I have often suspected myself to be overtaken. . . .[88]

In what, precisely, does the disease consist? Some external clues can be identified: giving one's life for merely imitative or emulative reasons, for reasons having to do with prudence, or fear of difficult circumstances, or pride, or "a natural infirmity of despising this life" (2205). But we shall not discover the true character of the disease or corruption of this natural desire of dying until the argument of *Biathanatos* is complete, since the nature of the disease will be clear only when we have discovered upon what grounds it may be legitimate to exercise this desire. Nevertheless, toward the conclusion of Part I, Donne foreshadows the point he will make in Parts II and III: although very many of the martyrs died for corrupt reasons, "a great number had their direct mark upon the glory of God" (2206f.).

With this preliminary result of establishing that the desire of dying is natural but corruptible, it becomes possible to discern the argument Donne had been pursuing in the early portions of Part I, where he had attempted to show that under any of the various formulations of the "law of nature," some cases of suicide would nevertheless be permitted. Clearly, suicide is not necessarily a violation of man's nature as a rational being, for the rational being may clearly see the advantage of choosing the spiritual life ahead. Similarly, suicide need not violate the demand for self-preservation, if thereby the eternal existence of one's "best part" is assured. Suicide, equally clearly, may sometimes satisfy the maxim "fly evil, seek good," if one flies the evils of the world in order to seek the good of eternal existence with God. Finally, the choice of death need not be a kind of "unnatural lust"; it is the natural, originally uncorrupted desire of all human kind. But the argument against suicide which compares it to an unnatural lust is to be taken most seriously, for the analogy is almost exact. Like the desire for sex, the desire to die is in itself natural and therefore not evil; like the desire for sex, however, it is extremely easily corrupted. Consequently, much suicide is in fact analogous to unnatural lusts like sodomy, the product of corruption in originally uncorrupt desires, and such suicide is in fact a violation of natural law. Nevertheless, like sex, it need not always be so.

Hence, the mere fact that an act is an act of suicide will not determine whether it is in accord with, or in violation of, natural law. Many—probably most—acts of self-killing will run afoul of the law of nature on one or more counts. Yet (and it is only this limited conclusion which Donne wishes to establish) it is possible that some acts may be acts of suicide and yet still conform to the law of nature, regardless of the formulation in which that law is understood.

Part II of *Biathanatos* begins the investigation of the claim that suicide violates the "law of reason," or, as Donne chooses to interpret it in this section, those "conclusions drawn and deduced from the primary reason by our discourse and ratiocination" (2380ff.). Conclusions drawn from primary reason, that is, from the eternal law which governs the nature of the universe, take two principal forms: they constitute the laws of particular nations and human groups, and they comprise the arguments of "particular authors, of whatsoever reverence or authority" (2439f.). Thus the initial task of Part II is to examine those reasons against suicide which are formulated and developed by the rational human mind, both as they appear in various kinds of law, and as they are argued by particular individuals.

Of course, neither the laws of nations nor the arguments of particular authorities need be assumed to be wholly correct, Donne recognizes, since fallacy may well have been introduced in the deduction of these laws and arguments from primary reason, or in their subsequent formulation. Nevertheless, for Donne, every law and every argument has behind it a "reason," and it is this "reason" which is drawn directly from primary reason. Consequently, Donne does not attack either the law or the arguments of particular individuals on grounds of legitimacy. Rather, he attempts to examine that reason which is behind each particular law, and is embodied in any particular argument given by an individual author, in order to discover whether this reason in fact serves to establish that suicide is always sin.

Insofar as Part II concerns itself with human law and with publicly articulated argument, we might describe this part as concerned with suicide in relation to the social interactions among men. To this extent, Part II of *Biathanatos* roughly parallels the second of the arguments against suicide produced by Aquinas, based in turn on Aristotle's dictum that suicide injures the state:

> It is altogether unlawful to kill oneself . . . because everything that is a part belongs to a whole. Every man is part of the community, and so belongs to the community. Therefore, he who kills himself injures the community, as the Philosopher proves. . . .[89]

For Donne, the "community" includes both church and state; thus, human law includes both Canon and Civil Law, and public argument includes the views of both secular and religious authors. Donne turns first, in Distinctions i through iii, to an examination of the "law of reason" as it appears in Civil and Canon Law; he devotes Distinctions iv and v to the arguments of various authorities. The remainder of Part II is then given to the development of

Donne's own positive—and original—account of the relationship of suicide to reason and law.

We have a common tendency, Donne observes, to assume that if a certain act is prohibited by a code of law, the act is therefore sinful or wrong. The stronger the prohibition and the more severe the penalty, the more grievously sinful we assume the prohibited behavior to be. But this assumption, Donne contends, is at the root of our misunderstandings of the nature of human law and hence of its prohibition of suicide. We cannot infer from the strength of prohibitions or penal laws to the magnitude of the sin, but rather to the frequency of its commission. Donne says:

> For wheresoever you find many and severe laws against an offense, it is not safe from thence to conclude an extreme enormity or heinousness in the fault, but a propenseness of that people, at that time, to that fault. (2770)

This is true in both religious and civil law. For instance, laws against stealing, a civil offense, are severe because of the frequency of theft. Similarly, religious law holds that those who fast on Sunday are "murderers of Christ" (2774f.), even though there is little doctrinal basis for this charge; the severity of this law is necessitated by the popularity of the Sunday fast. In general, laws show local variation not because the gravity of a crime varies from one locale to another, but because one populace may be more disposed to that particular type of behavior than another; thus, Donne says, laws in France are particularly strict against duels, and in Spain against bullfights. Laws, then, are essentially deterrents, designed not necessarily to assert the moral character of an act, but to control its occurrence.

This may seem to imply that law is wholly arbitrary; for Donne, however, it is not so. This is because law, even though it serves as deterrent and not as indicator of the moral character of the prohibited act, nevertheless always has a "reason" behind it, which, as we have seen, is derived directly from primary reason, that is, eternal law. Thus, although the existence of a particular human law prohibiting or penalizing behavior of a certain sort need not indicate that the behavior is in itself wrong, the reason behind this law will have direct bearing on this issue. Donne's project, then, in the early portions of Part II, is to inspect the reason behind the positive human laws prohibiting and penalizing suicide, and thus to discover whether, on this basis, suicide can be said to be wrong.

The most general human law, with which Donne begins in Distinction i, Section 3, is that codified in the *Corpus Iuris Civilis*, Justinian's compilation of the civil law of the Roman Empire, and in the *Corpus Iuris Canonici*, the Roman Church's ecclesiastical law. In neither the Civil nor the Canon Law does Donne find any general assertion that suicide is wrong. However, the *Corpus Iuris Civilis* does impose sanctions against suicide in two cases: suicide by a soldier on duty, when he has no mitigating reason for doing so, and suicide by a person under indictment for a crime for which the penalty, upon conviction, would be forfeiture of property. Furthermore, canons adopted by various councils impose sanctions against suicide in several ways, for instance by asserting that the Church will not receive offerings made by a person who has killed himself, by requiring that prayers not be said for the deceased, and by stipulating that the corpse not be given Christian burial.

Donne begins his analysis of these laws by showing how all these sanctions, both from the civil and the religious law, can be readily explained as deterrents. In the Civil Law, sanctions against suicide by soldiers on duty serve to prevent suicide from cowardice among men in combat, upon whom the security of the state might depend:

> . . . as well much disadvantage might grow to the army if suddenly any numbers of them should be suffered to turn upon this natural and easy way of delivering themselves from painful danger, as much damage to the state. . . . (2485)

Sanctions against suicide by those under indictment serve to keep the guilty from avoiding forfeiture of their property by avoiding conviction altogether, viz., by killing themselves before such conviction can take place. The Canon Law's refusal of oblations from suicides arises to restrain the "inconvenient practice" (2638) of prophylactic offerings from those "thinking to make sure work" (2634) of salvation by protecting themselves from any possible final sin. And the canonists frankly acknowledge that the Canon Law's denial of Christian burial to people slain in other prohibited ways—e.g., in jousting—is wholly deterrent in character: "this punishment reaches not to the dead, but only to deter the living" (2661f.); surely, Donne intimates, its denial of burial for suicides is to be explained in this way too. Thus, in Donne's preliminary conclusion, those scant provisions in the *Corpus Iuris Civilis* and in the *Corpus Iuris Canonici* which do govern suicide can be explained as deterrents, and there is nothing in these bodies of law—which are, Donne holds, closest to the truth and eternal law—to indicate that suicide is intrinsically wrong.

However, local civil law in Europe and England, and the later pronouncements of the church, show increasingly frequent and severe prohibitions of suicide; these developments are reflected in, for example, English law's treatment of suicide as a felony, and in the church's ultimate refusal of all religious privilege to the person who commits suicide. But even these very strong prohibitions can also be explained as deterrents. Donne's argument here depends on the prior argument he pursued in Part I of *Biathanatos,* where he sought to establish that not only is man's desire of dying natural, but that this natural desire can be externally encouraged and inflamed. Strict suicide-prohibitive laws develop within both church and state, then, as the tendency towards voluntary death becomes increasingly strong. The severe policies of church and state in medieval and later times are deterrents to precisely the kinds of behavior that had become increasingly prevalent among the early Christian martrydom-seekers; they are necessitated by man's natural desire for dying, not just in its original but in its corrupt or diseased form. In fact, this diseased desire for dying prevails, Donne thinks, into his own times; of his own country he writes:

> Since, therefore, to my understanding, it [the prohibition of suicide] hath no foundation in natural nor Imperial Law, nor receives much strength from those reasons, but having by custom only put on the nature of law, as most of our [English] law hath, I believe it was first induced amongst us because we exceeded in that natural desire of dying so. (2710)

Donne's account describes the function and operation of Canon and Civil Law governing suicide; it does not yet, however, delineate the reason behind these laws. To identify this reason is the next step of his task.

One facet of the reason behind suicide-deterring Civil and Canon Law arises from the stark fact that widespread practice of suicide reduces the population to the point of endangering the survival of the state. This, Donne suggests, is particularly true with reference to special groups within the population; for instance, it explains the strong prohibitions against suicide among slaves and the laboring classes, since it is these groups which would be most likely—given their "miserable and beastlike" condition (2724)—to end their lives by suicide. But it is also true for the population as a whole, and Donne clearly holds that a part of the foundation of legal sanctions against suicide is the state's need to preserve its strength. He says:

> . . . so it may be a natural declination in our people to such a manner of death [suicide], which weakened the state, might occasion severer laws than the common ground of all laws seems well to bear. (2753)

This is not to say that the state's laws against suicide are without basis, or that they ought to be removed. Rather, it is to say that the basis of these laws—their "reason"—is not the wrongness of the act they prohibit, but the practical necessity of preserving the state intact. They are born of a "watchful solicitude" (2832) of the state, not so much for individuals but for the community as a whole, and they are developed in strength roughly proportional to the expressed tendency towards suicide among the populace.

What is unfortunate here, Donne thinks, is not that such laws are developed, but that the development of such laws is necessary. He quotes St. Jerome's remark lamenting the necessity of the Emperor's edict that nothing be given to the clergy, since it was necessitated by abuse of such practices. Donne says that he similarly regrets "that the infirmity and sickness of our nation should need such medicines" (2762f.), i.e., strict legal deterrents to suicide. Legal deterrents to suicide would not be necessary were the natural desire of dying never corrupted out of its original innocent state.

But there is a further component in the "reason" behind these laws. Suicide-prohibitive laws serve to prevent individuals not only from decimating the state, but also from exercising their "natural love of ease" (2833) by taking what we might call the easy way out of hardship. Thus such laws also serve, Donne says, to "sinew and strengthen" (2623) that Christian doctrine which impels us to endure miseries and afflictions, when without it we might choose to end our lives. But by encouraging or even forcing us to endure miseries and afflictions, they acquaint us with suffering, and so enable us to discover the meaning of truly Christian lives.

> For as the Civil Laws, by limitation of persons and causes, gave some restraint and correction to this natural desire of dying when we would (which they did out of a duty to sinew and strengthen, as much as they were able, the doctrine of our blessed Savior who, having determined all bloody sacrifices, enlightens us to another doctrine—that to endure the miseries and afflictions of this life was wholesome and advantageous to us), the councils also, perceiving that this first-engrafted and inborn desire needed all restraints, contributed their help. (2620)

Not only do the laws prevent us from harming ourselves and our community, then, but by forcing us to endure suffering, they encourage us to perfect our souls. Thus, the laws not only protect us from harm, but confer benefits as well. In acknowledging the latter reason, we recognize that it is correctly deduced from primary reason, and we understand the ultimate justification for such laws. They are consonant with the proper office of the Canon Law as a whole; it punishes "medicinally," as Donne puts it, and for "the soul's health" (2548). Consequently, we can correctly speak of the "wisdom" (2716) of those who have made these laws.

With this, Donne completes his examination of the Civil and Canon Law as one embodiment of the "law of reason"; in Distinctions iii and iv of Part II he turns to examine the arguments of various authors, to consider whether they produce sufficient independent reason for holding suicide to be wrong. He finds, in the end, that they do not. In the course of these critical analyses, however, Donne also articulates his own, original position. He develops this view by comparing and contrasting it with the views of the various authors he has under consideration; since he presents his own view as a kind of counterpoint to the views he is disputing, it is at times difficult to isolate his view in its entirety. This difficulty has led some commentators to think he is indulging in mere casuistic quarreling. Nevertheless, it is here that we shall find the fullest statement of Donne's own view on suicide.

Although Donne begins his discussions of "particular authors" with Augustine, he announces the central thesis of his own view immediately. He agrees with Augustine, he says in Distinction iv, that suicide is *not* permissible in many sorts of circumstances: e.g., when it is chosen to avoid sin, to avoid temporal troubles, to punish oneself for past sin, to prevent others from sinning, to expedite one's entrance into the next life, or, in general, to serve one's own interests in any other way. Suicides of these sorts, one might say, are corrupt or "diseased" expressions of the natural desire to die. Yet suicide is permissible in exactly one kind of case—when it is performed to promote the glory of God, and does so in a self-disinterested way. Self-interested, self-serving suicide is forbidden; that which genuinely promotes the glory of God is not.

Thus, it is the *intention* under which an act of self-killing is performed which determines the moral status of that act. For Donne, this is not an *ad hoc* assumption concerning suicide alone; he holds that the moral properties of *any* act inhere primarily in its motivation. This view, as we have seen earlier in this Introduction, is an extension of principles already recognized in Catholic moral theology; Donne's contribution lies in drawing the intentionalist principle to its obvious conclusion. No act, for Donne, is inherently evil, and no class of acts can be said to be evil as a whole. (This is true, of course, only for external acts, or particular bits of behavior in the world; certain internal acts—for instance, hating God—remain for Donne intrinsically wrong.) But, once we see this, we can understand our tendency to assume that certain kinds of external acts are intrinsically good or bad. In Donne's account, we tend to regard certain types of actions—stealing and adultery might be appropriate examples—as intrinsically evil because they ordinarily have evil effects; but this of course assumes a consequentialist view, which Donne does not accept. For Donne, in contrast, stealing and adultery are wrong because, almost always, they are done under an intention to deprive someone of his property, or to deceive one's spouse. Similarly, certain types of acts—among them suicide—are "declared by law or custom" (4536) to be evil; but again, such declarations are based on a misconception, and are not adequate reason for assuming any particular act of that sort to be wrong. Certainly, Donne grants, suicide "for the most part" accompanies and occasions sin. But the sin lies in the intention—the self-respecting, diseased intention—under which the act is done, and not in the fact of suicide itself, nor in the consequences it brings. The belief that suicide is intrinsically sinful results from applying the wrong criterion for moral judgment of an act.

The intentionalist principle in which Donne's underlying ethical theory is rooted is not made fully explicit until Part III, Distinction iii. Yet it is operative throughout the account in *Biathanatos*, and is an assumption without which the account of suicide in *Biathanatos* would be unintelligible. Though Donne makes no attempt to provide such an account in *Biathanatos*, this principle could well serve as the basis of a general ethical theory.

This should not suggest, however, that Donne is entirely clear in elucidating his underlying ethical theory; he seems to waver, at various points in *Biathanatos*, between intentional and teleological criteria for the ways in which the moral status of an act is to be determined. He sometimes seems to suggest that it is the consequences or outcome of an act of suicide that is the basis for an assessment of its moral value; in Part III he writes:

> . . . if perchance a public, exemplary person, which had a just assurance that his example would govern the people, should be forced by a tyrant to do an act of idolatry (although by circumstances he might satisfy his own conscience that he sinned not in doing it) and so scandalize and endanger them if the matter were so carried and disguised that by no way he could let them know that he did it by constraint, but voluntarily, I say perchance he were better kill himself. (4351)

Here, what is important are the consequences which this suicide brings about: since to commit idolatry would "scandalize and endanger" the faith of the people, suicide, as the only other option, will, in contrast, tend to preserve it. The moral evaluation of this act appears not to be based so much on the intention of the agent in performing it, but on the consequences which his choice will actually produce. On the whole, however, teleological or consequentialist criteria for the moral status of an act seem to receive comparatively scant notice in *Biathanatos*; although Donne's theory may not be fully consistently presented, it is clear that he strongly emphasizes the role of intent.

What vacillation occurs is perhaps most strongly evident in Donne's usage of the key term "for the glory of God." In Donne's usage, a suicide often seems to be equally well described as "for the glory of God" whether it is performed with the intention of promoting God's glory or whether it has the effect of promoting that glory; this would reflect the disparity between what we now recognize as intentionalist and teleological accounts. Nor does Donne consider possible cases in which intention and consequences might diverge.[90] For instance, he does not consider the possibility of cases in which a suicide might be performed with the intention of glorifying God, but have only the effect of scandal, that is, of weakening the faith of others. Conversely, he does not consider cases in which a suicide is performed with malevolent, self-interested, or other "diseased" intent, and yet happens to produce results which glorify God.

Although Donne does rely on an intentionalist principle, it is important to recognize that he does not employ what is called, in twentieth-century discussions, the principle of double effect. This principle distinguishes between the primary intention under which an act is done and its indirect or "oblique" intention; it would excuse certain suicides by establishing that the act was done under the primary intention to bring about a good effect, while an evil effect—the actor's death—was foreseen although not directly intended.[91] Samson's suicide, for instance, may be justified under the principle of double effect by claiming that his primary intention in pulling down the temple was to destroy the Philistines; he foresaw, but did not directly intend, that his own death would also occur. Donne recognizes a similar sort of argument in his citation of Cajetan's opinion that "to expose ourselves to certain death, if our first end be not our own death, but common good . . . is lawful" (5313f.); but Donne does not use this principle in advancing his own case. Nowhere does he seek to excuse those he considers lawful suicides on the ground that they did not wish their own deaths. His own analysis of Samson's case in Part III argues that Samson willed his own death as much as he willed the deaths of his enemies. What makes his death laudable, for Donne, is that he willed it for the glory of God; not to have willed it at all would remove the basis of its being praiseworthy.

Whether the suicide one may be contemplating would be performed under self-interested, diseased motivation, or, rather, would be done disinterestedly and for the glory of God, is to be determined, Donne holds, by conscience. As we have seen, Donne's account of conscience is derived directly from the Thomist tradition, and regards conscience as that faculty which determines the moral status of particular acts by subsuming them under principles of general moral law. In a sense, as suggested earlier in this Introduction, deliberations of conscience are declarations of motive; it is by means of one's conscience that one determines the motives under which one seeks to act. Conscience, then, is the way in which an individual may determine whether the suicide he contemplates will be self-interested, or will be for the glory of God, and hence, whether the suicide he contemplates is morally evil or good.

Of course, diligent exercise of conscience is not an easy task. As we have seen, the casuists recognized a number of distinct states in which one's conscience might fail to be rectified, and certainly, for Donne, the exercise of conscience does not consist in mere intuition or self-observation of one's powerful urges, however zealous they may be; rather, conscience requires the use of reason in examining one's intentions and ends, and the use of moral knowledge in relating one's unique situation to general law. No doubt, modern clinical practice will scoff at the notion of "consulting one's conscience" in the sorts of depressive or agitated states which are likely to produce suicide. Yet, for Donne, if requisite diligence is used, conscience may indeed serve as a reliable guide to the moral qualities of one's actions. Unerring conscience is "despoiled of all human affections and self-interest" (3851); it is, Donne metaphorically says, a "summons from God" (3074). This is not to be confused, of course, with the direct divine command Augustine had posited in excusing the suicides of Samson and the virgin martyrs, but is, as Donne puts it, "that resident and inherent grace of God, by which He excites us to works of moral, or higher, virtues" (3078ff.). Suicide, then, is permitted only for the glory of God; conscience permits one to discover whether that is in fact one's intention.

It may seem, however, that Donne's view is incoherent in practice. Earlier, we saw that Donne claimed to agree with Augustine that suicide is not permitted to avoid temporal troubles, to prevent others from sin, to punish one's own past sins, to prevent one's own future sins, or to bring about entry into the next life, and it may appear that Donne contradicts himself on many of these points. For instance, at II.iv.6, in countering Lavater's view that because there are officially established judges one ought not judge oneself, Donne asks:

> May not I accuse and condemn myself to myself, and inflict what penance I will, for punishing the past and avoiding like occasion of sin? (3002)

In the same section, Donne again implies that one may judge oneself for past sin:

> And certainly the reason of the law, why none should be judge in his own cause, is because everyone is presumed favorable towards himself; and therefore, if it be dispensable in some cases beneficial to a man, much more may it be in cases of inflicting punishment, in which none is imagined to be overrigorous to himself. (3029)

If suicide is the punishment for past sin, Donne appears to argue, then a man may pronounce that punishment upon himself.

But while Donne's position may seem to suffer from internal inconsistencies, closer examination shows that it does not; the apparent contradictions involve a confusion of types of external acts with the intentions under which they are done. For instance, suicide which serves to avoid future sin will be permissible if—and only if—one seeks to avoid future sin in order to serve the glory of God; if one seeks to avoid future sin in order to escape later retribution or to assure oneself a place in heaven, suicide is not allowed. One may pronounce upon oneself a death penalty for past sins only if doing so is genuinely intended to promote the glory of God—and not, say, to avoid shame or remorse. It is the overriding intention which determines the permissibility of suicide in cases like these, and conscience is one's guide. One might thus state the matter in an alternative way: suicide is permitted only when it is in accord with the faithfully and intelligently reasoned dictate of one's conscience, and not otherwise.

This brings to light the real nature of Donne's agreement and disagreement with Augustine's position on suicide. Donne claims to agree with Augustine's view of suicide—as far as it goes. But, according to Donne, the explanation of how it is that Augustine and he can reach such apparently conflicting results (Augustine holds that suicide is always forbidden; Donne is writing in its defense) lies in a very simple fact: Augustine has entertained only certain kinds of cases, and has not considered precisely those in which, for Donne, suicide would be allowed.

> . . . so St. Augustine hath condemned those causes which we defend not, but hath omitted those wherein it is justifiable. . . . (2901)

The incompleteness of Augustine's treatment is revealed in his need to postulate that certain clearly acceptable suicides, like Samson and the virgin martyrs, were commanded by God; these are precisely the cases Donne would describe as "for the glory of God." No special summons need be posited, if the intention under which they were performed is brought to light.

Having articulated his theory during his discussions of the arguments of various writers, Donne proceeds—still in the course of this discussion—to attempt to *prove* that his theory is correct. Thus far in his exposition, he has merely asserted it; it is now his project in the remainder of Part II to argue for the correctness of his views.

It is this portion of the overall argument in *Biathanatos* which is perhaps most complex and crucial, and it is the one which Donne terms "our chief strength" (3234). Not entirely in jest may it be said that this is the portion of the overall argument which requires the chief strength on the part of the reader as well. And no doubt, too, this portion of the work has contributed to the reputation of *Biathanatos* as "obscure," "paradoxical," and "crabbed." But although the argument is difficult, it is central to the project of the book. It is also, incidentally, the portion of the book which is most relevant to issues which are under active debate in twentieth-century ethics, particularly medical ethics, and so can perhaps be said to be the most forward-looking portion of *Biathanatos.*

Donne begins, at II.vi.3, by adopting Tolet's categorization of five species of homicide—"commandment," "advice," "permission," "help," "by the fact itself," to which Donne later adds a sixth, "mutilation or maiming." We might describe these, in modern terminology, as degrees of agency in a death. But although Tolet uses these categories to describe agency in the deaths of others, they apply equally well, Donne holds, to bringing about the death of oneself. One can "command" or "advise" oneself to die: this is simply to will that one's death occur. One can allow oneself to die, or refuse to hinder one's death when one could; this is what Tolet means by "permitting" oneself to die. One can render assistance in one's own death, as one might by handing one's own murderer the gun. One can mutilate or maim oneself (both species of partial death); and one can bring about one's own death directly in the physical sense. Only this last category is generally termed "self-homicide" or "suicide"; yet in all the earlier cases one's agency in one's own death is clearly involved.

Donne begins the argument with the observation that certain "omissions and desertions and exposings of ourselves" (3416) are allowed us. For instance, in what would count as a form of self-homicide by self-permission, we may legitimately wish for death, as St. Paul longed for death in order to "be with Christ" (3355f.). Then, too, although we have the right to defend ourselves if attacked by an aggressor, we may waive that right; for instance, I may allow myself to be killed rather than kill my attacker while he—because he is attacking me—is in mortal sin. I may sacrifice my life or offer myself for the good of my neighbor, and, indeed, if it is the spiritual welfare of my neighbor rather than simply his bodily or worldly well-being that is at stake, I may be *obligated* to offer my life for him. I may fast, even though severe fasting will shorten my life. And I may refuse to defend myself at the bar when accused of a crime. These are all forms of what Donne calls "desertion" (3236), that is, cases in which I waive my natural right to preserve my life, and either let myself die or allow myself to be killed. Widespread custom, civil and religious law, and the opinions of respected secular and divine authors all allow the various types of desertions or omissions mentioned here.

However, and this is the crucial premise which is central to Donne's argument (and the thesis which is again under quite heated debate in the twentieth century), there is no significant *moral* difference between acts of omission and acts of commission. This is true, Donne holds, for all the species of homicide in Tolet's classification. As Donne puts it, "between which negative killing and positive killing, how little and narrow a distance there is, and how contiguous they are . . ." (3162ff.). In a twentieth-century example, it is argued that there is no moral difference between Jones's failing to lift a small child from the bathtub when he has slipped under the water of his own accord, and Smith's pushing him under to drown. This is because they are governed by the same *intention*, namely, procurement of the death of the child. The omission/commission distinction may seem conspicuous and plausible if we attempt to assign moral status to an act in itself, since there may appear to be a difference between Jones's doing nothing (but watching the child drown) and Smith's actually pushing the child under the water. But if we consider that it is the intention under which an act is performed which determines its character as a moral act—and this of course is the central premise of Donne's moral theory—we see that both acts are the same, and there is little or no "distance" between them: both Smith and Jones intend that the child shall die. Donne comments with evident sarcasm on the usual judicial recognition of the omission/commission distinction, based on assignment of culpability to specific acts:

> And if the matter shall be resolved and governed only by an outward act, and ever by that; if I forbear to swim in a river and so perish, because there is no act I shall not be guilty; and I shall be guilty if I discharge a pistol upon myself which I knew not to be charged, nor intended harm, because there is an act. (3602)

But if in certain cases I may wish for death, or allow myself to be killed by an attacker, or allow my life to be sacrificed for the welfare of another; if in certain cases I may allow my life to be shortened by fasting, or ended by my refusal to plead to a charge, then in these cases I may—*because the intention governing them is the same*—perform the active forms of these same acts. If I may allow myself to be killed by an attacker, I may attack myself. If I may allow my life to end by refusing to eat, then I may end it by eating that which is poison; for in both cases, the intention is the same—to end my life. If I may allow my life to be ended as the result of a capital criminal conviction, then I may convict and end my life myself. Of course, some of these "desertions," under some intentions, are not permissible: this is when they are self-interested and do not serve the glory of God. But if there are any cases in which I may allow my death to be brought about by others or by natural circumstances, then there is, *under the same intention*, no significant moral difference if I bring about my own death in a deliberate and direct way. Conscience, in fact, will regard these acts in the same way.

Contemporary English and, following it, American law (both based, of course, on the English common law Donne knew) recognize the omission/commission distinction in criminal and other matters. Except in the presence of certain special responsibilities, such as that of the physician toward the patient or the parent toward the child, a commission may be legally culpable where an omission with the same outcome is not—regardless of intent.[92] For instance, a person may be guilty of murder if he slits the veins of another so that his victim bleeds to death, but may not be guilty if he discovers someone whose veins are already slit and declines to bind them up. Similarly, it is no offense in the criminal law if a mere bystander, with a life-preserver in hand, watches as another person drowns a few feet away, although it would be an offense to make him drown. Both among philosophers and among legal theorists, the intelligibility and morality of the omission/commission distinction are heavily debated, and among neither philosophers nor legal theorists is there consensus on the resolution of this issue.[93]

But although this issue is still a controversial one in contemporary moral and legal thought, Donne's own resolution of it is consistent with his principles elsewhere in *Biathanatos*. For Donne, particular external acts do not have moral status in themselves, and are not intrinsically right or wrong. Were Donne to explicate the twentieth-century example used earlier, he would say that Jones's watching the child drown in the bathtub is not an act which has moral status in itself, nor is Smith's pushing the child beneath the water. What makes each act heinous is the intention under which it is done: the intention of causing the death of the child. Both acts are thoroughly morally repugnant. But in each case, the intention might have been different or nonexistent: Jones might have been forced to watch the child drown because he himself was bound and gagged and unable to interfere; Smith might have pushed the child under as a result of insane delusions, hypnosis, or even accident, and not really have intended the death of the child at all. But Donne would insist there is no prior moral distinction between an act of omission and that of commission; if the underlying intention is the same, the acts—however different in their external characteristics they may seem to be—are of the same moral sort. This applies to suicide as well as to actions of any other kind.

In Parts I and II of *Biathanatos* Donne has developed his theory of the moral character of suicide; Part III serves as the application and confirmation of that theory. It is here that Donne subjects his account to those passages of Scripture which have bearing on the issue of suicide. But it is also here that Donne draws the full implications of his theory, and states its astonishing and paradoxical consequences for Christian faith and life.

Part III is announced as an inquiry into whether suicide violates the "law of God." It is the Bible which presents the revealed law of God; hence, the inquiry must involve an examination of the scriptural position on suicide. Scripture is radically distinct from church law and pronouncement, and from the arguments of even the most religious of authors; while these are deduced from primary reason in perhaps fallible ways, the Bible is always true. Scripture can be misinterpreted; but if interpreted correctly, Donne holds, its veracity is guaranteed. Thus, Donne sets out to test his theory against Scripture, correctly interpreted, as the final arbiter of his theory's truth.

This division of the subject again suggests that Donne is following Aquinas' definition of sin as applied to the issue of suicide. As his third and final reason for the absolute wrongness of suicide, Aquinas had said:

> . . . because life is a gift divinely given to man, and subject to the power of Him who "kills and makes to live." Therefore, whoever deprives himself of life sins against God, just as he who kills another's slave sins against that slave's master, and as he who usurps for himself judgment of a matter not committed to him. To God alone belongs sentence of death and life, according to Deuteronomy xxxii [39]: "I kill and I make to live."[94]

But it is clear that Donne will treat a much larger range of issues than Aquinas; Donne is concerned to show that suicide need not violate in any way the law of God. Since Scripture is the primary vehicle of the law of God as revealed to man, Donne must therefore show that suicide is not generally prohibited by the Biblical text.

Donne points out immediately that the Bible contains no explicit prohibition of suicide *per se*; this claim is contested by no authorities in the Christian tradition. But he must also show that no passage in the Bible implicitly prohibits it either, whether by designating suicide as a sin or by presenting examples in which suicide is clearly seen to be wrong. This project determines the structure of Part III: after introductory remarks establishing that suicide is not explicitly prohibited in Scripture, Donne devotes Distinctions ii and iii to alleged bases for suicide prohibitions in the Old and New Testaments, respectively; Distinction iv to passages which may favor suicide; and Distinction v to the consideration of specific cases of suicide or partial suicide narrated in the Biblical text.

In the religious literature on suicide, Donne observes, an extraordinary variety of Biblical passages are said to show that suicide is wrong, and that it is contrary to the will of God. These include, among others, Deuteronomy xxxiii 29, "I kill, and I give life"; Tobit xiii 2, "He leadeth to hell, and bringeth up, nor is there any that can avoid his hand"; and Job ii 4, "Skin for skin, and all that ever a man hath will he give for life." However, observes Donne, except for Exodus xx 13, "Thou shalt not kill," none of these passages is used by more than one author to show that suicide is not permitted:

> . . . but to one, one place, to another, another seems directly to govern in the point; and to me, to allow truth her natural and

> comely boldness, no place but that [the 5th Commandment] seems to look towards it. (4131)

Donne is correct in observing that since Augustine, Christian exegetes of the Biblical texts have virtually unanimously agreed in citing this commandment as the locus of the prohibition of suicide, but have differed quite widely in their use of other passages to support and extend this claim. Donne recognizes that this does not entail that these additional passages could not provide a basis for the condemnation of suicide, and he examines them in some detail; nevertheless, of the passages which might be interpreted to formulate a general prohibition against suicide, he considers the "most proper, and direct, and strongest" (4330) to be Exodus xx 13.

Donne's strategy in arguing that the commandment "Thou shalt not kill" does not prohibit suicide involves showing that if exceptions which are universally granted to this rule are admitted, an exception must also be granted for certain cases of suicide. Superficially, this strategy may seem to resemble that of Augustine in his original formulation of the principle that the commandment precludes suicide; although the commandment is phrased as a perfectly general prohibition of killing, Augustine had observed, we do routinely and without controversy acknowledge exceptions. We allow the killing of animals and plants. More importantly, we permit the killing of humans in capital punishment, war, and in self-defense, or in defense of a third party. Augustine had explained these latter exceptions, however, on the grounds that they are made "by the authority of God Himself."[95] This may take the form of killings made on the basis of just law, Augustine holds, as when the state imposes the death penalty on criminals or orders its soldiers to fight in a just war; in such cases, says Augustine, the command of God—"the source of justice"—is the ultimate basis of the law. Or, according to Augustine, this may take the form of direct divine command, as is the case with Abraham's near-sacrifice of his son. For Augustine, the same principle governs self-killings: they are exempt from the prohibition imposed by the Biblical commandment only when they are directly ordered by God. Augustine had written:

> And so one who accepts the prohibition against suicide may kill himself when commanded by one whose orders must not be slighted; only let him take care that there is no uncertainty about the divine command.[96]

But Donne, as we have seen, objects strenuously to Augustine's strategy of assuming *post hoc* that those among the Biblical suicides whose holiness cannot be contested must have been commanded to kill themselves by God, and in III.ii.8 Donne uses a quite different strategy in accounting for exceptions to the commandment. He points out that the various commandments may, at times, require conflicting courses of action. For instance, I may be constrained in a particular situation either to commit idolatry or to kill someone. Here, the commandment requiring me to honor God by refusing idolatry seems to force me to take the only alternative, namely killing; on the other hand, the commandment prohibiting killing would seem to force me, since there are no other alternatives, to commit idolatry. But this is not, Donne shows, a moral impasse in which I can simply choose which commandment to follow; rather, those commandments which concern the honor of God, which comprise the commandments of the First Table, take precedence over commandments governing one's relations with one's neighbors, that is, commandments of the Second Table. In the case above, the commandment prohibiting idolatry, since it is a commandment concerning the honor of God, takes precedence over the commandment prohibiting killing, which latter governs my relations with my neighbors; therefore, the correct choice is to refuse idolatry but do the killing.

Describing circumstances in which a choice is actually forced may prove difficult, however, and a number of analogous cases invented by the casuists can be argued to be specious; such polar choices do not arise in practical moral life. This is because there is almost always a third alternative, and it is this fact which gives rise to the critical problem of martyrdom. If I am threatened with the choice of idolatry or killing another, I can refuse to do either, and let myself be killed instead. Indeed, if I am threatened with idolatry at all, whatever the other options, I can let myself be killed rather than dishonor God; this is the crucial posture of martyrdom. But allowing myself to be killed, Donne has argued in the previous part of the text, is tantamount to killing myself if the intention under which it is done is the same. Thus, there is no *moral* advantage in allowing my persecutors to kill me, instead of doing the deed myself. Consequently, there is no moral ground for preferring martyrdom to suicide, where the intention is devout and the end is the glory of God.

Thus, Donne would agree with Augustine that exceptions do occur to the commandment against killing; but these exceptions occur, for Donne, only in order to observe a still higher law. This law, as Donne puts it, is simply this: "that necessary obligation which lies always upon us, of preferring God's glory above all human respects" (4371ff.). Thus, exceptions to the Biblical commandment against killing will occur in precisely those instances in which Donne's own account will already allow suicide, viz., when it is performed in order to promote the glory of God. But the commandment cannot be broken in those cases in which Donne's account will not allow suicide: to spare oneself pain, to prevent others' sin, to spite another, to seek fame, to defend one's honor, to escape punishment, to achieve martyrdom, to avoid future sins, to hasten one's entrance into the afterlife, or, in general, for any diseased or self-interested reason, whether to protect oneself against some evil or to procure for oneself a larger good. Therefore, Donne submits, his own account of the morality of suicide is precisely in accord with what the Biblical commandment requires.

This result, that the commandment "Thou shalt not kill" does not prohibit suicide, is the central conclusion in the first part of Donne's demonstration that suicide does not violate the law of God. His discussion of the commandment is embedded within considerations of numerous other passages of Scripture which have also been claimed by various authors to provide evidence that the Bible prohibits suicide; in addition to the passages mentioned earlier, these include Wisdom of Solomon i 12, "Do not stray from the path of life and so court death"; I Corinthians iii 16, "You are the temple of God"; and Ephesians v 29, "No one hates his own body." With a variety of brief arguments (some of them, it must be recognized, more persuasive than others), Donne attempts to show that none of these passages serves as a prohibition of suicide.

But such considerations are not sufficient to show that the Bible does not prohibit suicide, for one can always argue that the various Biblical cases of suicide—Samson, Saul and his armor-bearer, Achitophel, Razis, Eleazar, and Judas—although not, as Donne recognizes, explicitly condemned, nevertheless serve as models of what man's behavior ought not be. It is to this issue that Donne turns in the final distinctions of Part III, and it is in the context of considering specific Biblical examples of suicide that he will make the radical, paradoxical point which is to culminate the treatise.

Although the actual order of presentation of the final argument in Part III is involuted, its logic can nevertheless be distinguished. Donne's argument, though not his exposition of it, begins with Biblical cases of what we might call partial suicide, or, in his own terms, "approaches to the act of self-homicide" (5035). These are cases in which the individual's agency in his own death is of weak degree. Here, Donne is putting into application the account of degrees of agency in homicide which he had adopted from Tolet in Part II; it is this account which will enable him to reach the ultimate conclusion he seeks.

Scripture contains a number of examples of what Donne recognizes as "approaches" to the act of self-killing. For instance, he cites the case of St. Paul, whose phrase "I will gladly be bestowed for your souls" (II Corinthians xii 15), Donne says, is evidence of "a willingness to die for his brethren" (4818). Similarly, Simon Peter says to Jesus, "I will lay down my life for you" (John xiii 38). And even Christ himself says (John x 15) that he will lay down his life for his sheep. Such expressions of willingness to die may seem to be far removed from suicide, but for Donne they are not; they are all examples of self-homicide by "advice" or "commandment."

Furthermore, they are equivalent in moral value to suicide itself. Two principles are relevant here. The first is the legal principle that "the first consent [to a crime] is the absolute fault" (3264f.). This principle, although adopted from other sources, is entirely in keeping with Donne's intentionalist ethics: since it is the intention under which it is done which determines the moral status of an act, early or preliminary components of an act will be just as morally reprehensible (or laudable) as the final moments. Purchasing a gun in order to kill your spouse is as repugnant, morally, as pulling the trigger.

The second principle operative in this argument is Donne's own belief that the omission/commission distinction is untenable. St. Paul's wish is a passive one, and is not associated with action in the circumstances described. And yet, on Donne's analysis, it is, by the first of these principles, equivalent in moral status to acquiescence in his own actual death; under the second, it is equivalent in moral status to a positive act performed under the same intent. To wish or be willing to be killed is equivalent to allowing oneself to be killed in fact, and to allow oneself to be killed is equivalent to killing oneself. Hence, St. Paul's simple expression of "willingness to die for his brethren" is something more than is usually recognized: it is, morally speaking, tantamount to suicide.

But the Bible also yields cases where the agency in one's own death is of greater degree. Though his death does not in fact occur, Jonah, for instance, orders that he be cast into the sea. To illustrate more clearly Tolet's category of "helping" or assistance to the act, Donne relies on the non-Biblical story of the martyr Nicephorus, who, when his counterpart Sapritius failed in his faith at the point of martyrdom, rushed forward and cried, "I am also a Christian," thereby bringing death directly upon himself; Nicephorus' act, in Donne's adaptation of Tolet's classification, is just short of suicide "by the fact itself." But increased agency does not entail increased moral culpability; even the cases of weaker agency are equivalent in moral degree.

Donne also uses the case of Nicephorus to illustrate the way in which partial suicide can satisfy his criterion for moral permissibility. According to Donne, Nicephorus brought death upon himself in this way "lest from the faintness of Sapritius the cause [of Christianity] might have received a wound or a scorn" (4785ff.). Thus, it is an act which we can correctly describe as performed for the glory of God, and it is therefore a permitted, laudable act. Since, under the principles enunciated above, a positive act of self-killing under the same intention would be equally laudable, Donne can now draw the general conclusion: suicide, when it serves the glory of God, is a permitted, laudable act.

This discussion of Nicephorus may seem to be merely a generalization of the idolatry-or-death martyrdom cases discussed above. But here Donne begins to emphasize a point latent in his thinking throughout the text: if an act of partial (or complete) suicide will glorify God, and the only alternative acts will neglect the glory of God, then that suicide is not merely morally permissible, optional, or supererogatory; it is *required.* Far from being universally prohibited, there are some cases in which an act of suicide must be done. This is evident in the case of Nicephorus:

> Of which, as there may be such necessity, for confirming of weaker Christians, that a man may be bound to do it, as in this case is very probable, so there may be cases, in men very exemplary, and in the cunning and subtle carriage of the persecutor, as one can no other way give his body for testimony of God's truth, to which he may then be bound, but by doing it himself. (4788)

It is evident in many other cases as well; "all those places" of Scripture, Donne argues, "show that in cases when our lives must be given, . . . we . . . must die by our own will, rather than His glory be neglected" (4926ff.). Suicide is not only not forbidden; in certain cases, it is morally required.

This is technically the conclusion of Donne's argument determining the moral status of suicide, but it remains to confirm this argument. Donne accomplishes this by illustrating his conclusion with the central event in the Christian Scripture: the death of Christ.

Exactly what degree of agency Christ exhibits in His own death is, Donne contends, a matter open to considerable discussion; there is agreement concerning only the weaker degrees. Clearly, Christ did will His own death, and so would satisfy Tolet's lower two categories. Clearly, too, Christ gave permission for His own death, by not commanding the crowd to release Him instead of Barabbas; this exemplifies agency of Tolet's third degree. And insofar as He allowed Himself generally to be betrayed, tried, condemned, and crucified when He could clearly have done otherwise, Christ "helps" in the death which is to be His; this is agency of the fourth degree. But Donne focuses on the final moment of Christ's passion; he claims that it was a positive act of Christ's own will which allowed His soul to leave His body, when, like other crucified men, He would have hung upon the cross "many days alive" (4854). Donne grants that the crucifixion procedures would have eventually killed Him, but argues that "nothing which they [the Romans] had done occasioned His death so soon" (4868f.). Christ's death is "more than a yielding to death when it comes" (4898); Christ, Donne says, has voluntarily and deliberately performed the act of "actual emission of His soul" (4878). Although Donne refrains from explicitly terming Christ a self-homicide (perhaps because the affront to some readers would be just too great), it is clear that the whole thrust of his argument, developed in Part II and continued in Part III, is to show that Christ is a self-homicide of the strongest degree of agency: a case of self-homicide "by the fact itself." Not only does the law of God as set forth in Scripture not always prohibit suicide, but it reveals the very incarnation of God to be in fact a suicide Himself.[97]

Donne acknowledges that the claim that Christ actually emitted His own soul is open to considerable interpretational dispute (perhaps he fears a charge like that he has levelled at Augustine, that it is an assertion he has been forced to purchase by the demands of his own account), but he recognizes that his case can equally well survive without this last claim. It is disputed by none that Christ *allowed* Himself to be killed; that is central to the Christian religious faith. But if Christ allowed Himself to be killed, then, Donne may claim on the basis of the two earlier principles of his intentionalist ethics (that the "first consent" is equivalent to the act, and that the omission/commission distinction is untenable), this is the moral equivalent of His having killed Himself. Whether Christ actually positively emitted His soul is in the end an unimportant fact; either way, His actions have the same status in relation to His own death.

Christ's suicide, or His allowing Himself to be killed, achieves its singular moral character as a function of the intention under which it is performed: it is a suicide of "perfect charity" (4929), that is, a suicide wholly for the glory of God. Indeed, it is the very basis for the development of the Christian church, that particular organ for the glorifying and honoring of God. If the moral character of Christ's suicide were to be judged by the criteria applied to the actions of other men, we should find that it achieves the very highest degree of morality.

Conversely, when we judge the moral character of the suicides of other men, we find that their moral status declines as they become increasingly dissimilar to the death of Christ. This provides the basis for examining the deaths of the seven explicit Biblical suicides, and determining whether their acts are to be blamed or praised. This may seem a relatively simple matter; what must be determined is whether these suicides were undertaken for the glory of God. Samson's was indeed so undertaken, Donne finds; in fact, Donne says, quoting various sources, Samson died "with the same zeal as Christ, unconstrained" (5143), and "in this manner of dying, as much as in anything else, he was a type of Christ" (5143ff.). Saul also appears to have killed himself (or to have been killed by the Amalekite; Donne says that this "makes no difference to our purpose" [5148]), in order to promote the glory of God: this is because, at least according to Mallonius, Saul held it dishonorable to die at the hands of "God's enemies" (5185), and, as Lyra puts it, "dishonor might redound upon God" (5173). However, the matter is different with Saul's armorbearer; his is a suicide of "human respects" (5199)—weariness, despair, shame, fear, loyalty to his master, and shock—and is not primarily directed upon the glory of God. The armorbearer's suicide, then, is one which is *not* permissible under the account Donne has devised. In considering the less straightforward cases of Razis, Eleazar, and even Judas, Donne displays considerable sensitivity to a crucial consequence of his account: it is not always possible to tell from available evidence for just what reason an action has been done, and so, in particular, whether any given suicide was undertaken for the glory of God. This is least troublesome in the case of Judas, perhaps, but Donne declines to pass judgment even in this case.

But there is a final, ultimately important consequence of Donne's account. Since it is our duty as Christians to imitate Christ, Donne holds, we must be prepared to give our lives as well. "We are commanded to do it so," Donne says, "as Christ did it" (4808f.); this is true not only of self-sacrifice for others, but of the fact of self-killing also. But we must do so only if we can imitate Christ's death in its crucial characteristic: His is a death of perfect charity, wholly for the glory of God, and not one of human respects. Christ does not choose to die because of the disappointment of betrayal or fear of crucifixion or the pain of hanging upon the cross, nor in hope of subsequent fame or any other personal consideration, but solely because it is by dying in this way, and only in this way, that He can attest to and advance the glory of God. It is thus morally obligatory for Christ to die in this way, and it is a duty He takes upon Himself without reserve. Any suicide which genuinely imitates that of Christ in its central respects, then, will be a permitted, indeed obligatory one; suicide for any other reason is not to be allowed. The implication is clear: Christ is the model, the example *par excellence,* of those suicides which are religiously acceptable, and the measure by which all other men's suicides should be judged.

This test applies to any ordinary cases as well as to the suicides recounted in the Bible. Could Beza, for instance (to return to the example with which Donne opened his account), have jumped without sin from the Millers' Bridge in Paris, to save himself from "the anguish of a scurf which overran his head" (1088)? The question to ask in answering this question is simply this: how much, in the crucial respects, would Beza's suicide have resembled that of Christ? The answer, of course, is not at all. It is precisely this question which each of us must ask ourselves, should we consider suicide, and the answer—as given by conscience—must determine what we do.

In his conclusion, Donne explains the paradoxical nature of his view. Death, he reminds us, is no evil, and men should achieve a "just contempt of this life" (5443). Indeed, man's proper nature includes "a desire of supreme happiness in the next life by the loss of this" (5444f.). One might even attempt to establish rules or illustrative examples for encouraging such efforts, and for provoking fearful and sluggish men into ending this lesser life in commitment to something higher. This is, as Donne's historical comments on the early church have shown us, what in fact occurred during the pre-Augustinian period of exhortation to martyrdom, particularly under Clement, Tertullian, and Cyprian. But to encourage martyrdom is very likely to produce an unsavory result: inflammation of the underlying natural desire of dying into its diseased and unholy forms. The limits which determine when suicide is permitted or even required for these ends are, Donne says, "obscure and steepy and slippery and narrow, and every error deadly" (5454f.); the risks of exhorting or counseling what is in principle the correct and religious course are extreme, because in practice the likelihood of self-respecting suicide is so great. Thus, Donne concludes, although there is nothing in the nature of suicide *per se* to serve as a basis for social, legal, or religious tenets which prevent it, still it is "fit that this privilege of which we speak should be contracted and restrained" (5469f.); because it is so easily corrupted, we require deterrent laws which function in a socially and spiritually paternalistic way.

This, then, is the "paradox" in the thesis that "suicide is not so naturally sin, that it may never be otherwise": not only is it not intrinsically sin, but its principal example is the final, holiest act of divine mankind. Yet for most persons, the likelihood of imitating Christ's act in its central characteristic—that it is not self-interested, but wholly for the glory of God—is so small, that acts of this type must in general be forbidden. Thus, although suicide is not intrinsically wrong, we are correct to support the benevolent office of the Civil and Canon Law in prohibiting it altogether.

It is now clear just how Donne's treatise is "misinterpretable." The book, rightly read, is a stirring exhortation to voluntary death, and the reader who receives its message correctly must understand that it is his own obligation to emulate Christ. *Biathanatos* is, in fact, an incitement to suicide. But what the reader is not likely to see, despite its repeated emphasis in the text, is how remote the chance is that he, the reader, can actually imitate Christ, and how great the risk is that he, like most other suicides, will act on motives which are self-interested or diseased. If *Biathanatos* is an incitement to suicide, it is unfortunately likely to incite suicides of the sinful sort, a risk Donne absolutely would not want to incur. Thus, we can perhaps understand why Donne refused to let *Biathanatos* be published. A book of this sort can be given only to a very few trusted friends—Goodyer, Herbert, Ker—of whom one knows both that they will understand the import of the argument, and yet also heed the warning in the text. One can have no such assurances against a published book's audience at large.

Thus, altruism suggests itself as Donne's motive for keeping *Biathanatos* from publication, an altruism which involves not just preventing incidental harms to an ununderstanding public, but keeping them from an act which, if self-interestedly conducted, would be an extremely grave sin. Not the heterodoxy, but the suggestiveness of *Biathanatos* must be the reason for its nearly total suppression: Donne would not, either as clergyman or layman, be responsible for the sins of careless or self-serving readers who distorted his arguments into a license to commit suicide at will.

Perhaps the character of *Biathanatos* can be best demonstrated by sketching its relevance to some of the issues which now animate moral theology and moral philosophy, particularly where they intersect in assessing the issues in suicide, partial suicide, and other forms of voluntary death. Much of the contemporary discussion of such issues in bioethics concerns particular problems such as rational suicide, voluntary euthanasia in terminal illness, involuntary euthanasia in irreversible coma or other conditions of incompetence (especially where the hypothetical wish of the patient no longer to live is taken into account), elective capital punishment as an alternative to permanent incarceration, voluntary but lethal organ donation, high-risk exploratory or experimental missions, self-destructive life styles and dangerous sports, and a number of other issues concerned with various degrees of agency in the termination of one's own life. When we try to determine the exact application of Donne's views to specific cases of these sorts, however, we see that a distinct pattern emerges. Donne would clearly prohibit those cases which are essentially self-respecting, but perhaps permit those in which some higher aim is at stake. So, for instance, Donne would prohibit euthanatic suicide, voluntary euthanasia, elective capital punishment, and high-risk sports, as well as all other forms of suicide and partial suicide where the agent's primary considerations are himself and his own desires. However, Donne's position might admit some self-sacrificial behavior undertaken for the benefit of others, at least where it might be said that such undertakings were done in charity and thus for the glory of God; these might include voluntary but lethal organ donation ("giving one's life that another might live"), social protest suicide (including both self-immolation and self-starvation), high-risk missionary or similar expeditions (a contemporary example from the Catholic literature is that of the priest who enters a minefield to administer the sacraments to a dying soldier; its sixteenth-century counterpart involves the priest's entering a plague-infected house), and perhaps elective capital punishment where the motivation of the condemned person in choosing death is not sparing himself the discomforts of prison, but respecting the gravity of God's law.

But these examples are not entirely easy to classify. Donne himself says that he has "abstained purposely from extending this discourse to particular rules or instances" (5451f.); this is no doubt because, within the requirements of his own view, no adequate rules or set of examples could be given which involve description of the external circumstances of the case only. In fact, many descriptions of acts now under discussion in the bioethics literature are descriptions of the external features of the case only: "elective capital punishment" is one, and we cannot tell without further examination of the conscience of the individual whether or not it is done for self-comfort, or for what Donne would call the glory of God. But other descriptions of actions do include reference to the internal circumstances of the act; one such description is "rational suicide," which suggests that the agent has surveyed his circumstances and decided that, on the whole, it is better *for him* not to remain alive. Donne's position will clearly prohibit any suicide to which this description correctly applies. This is not to contradict his view that "there is no external act naturally evil . . . circumstances condition them, and give them their nature . . ." (4513ff.); it is to point out, rather, that certain ways of describing suicide describe it in terms of its internal intent, and these Donne's view will either categorically prohibit or require. Thus, we can say that Donne's view categorically prohibits rational suicide, where self-interest is the primary intent.

Seeing that Donne's view does provide for the categorical rejection of certain types of suicide also permits us to see why he makes no use of certain types of argument. Earlier, we pointed out that although Donne would have been familiar with the extensive classical literature on suicide, he makes no use of the strong pro-suicide argumentation from what might have seemed to be his likeliest allies: the Greek and Roman Stoics. Where he does cite classical sources, they all involve arguments counter to suicide. But the reason for his eschewal of the Stoic pro-suicide arguments is now evident: the Stoic arguments for the privilege of the "rational exit" from life encourage precisely that kind of suicide which his own theory would not under any circumstance permit. The Stoics have little conception of suicide in charity or "for the glory of God"; that is the only kind Donne would allow.

Donne's relationship to the Stoic pro-suicide literature has one further, important consequence. Since Donne rejects support from what were at his time the only pro-suicide elements in the Western tradition, his own defense of suicide is wholly original, and not derivative from earlier defenses in any way. It is for this reason that *Biathanatos* occupies a unique position in the history of the philosophical discussion of suicide, and perhaps for this reason, too, that it was so thoroughly misunderstood.

Notes

1. Evidence for the dating was gathered by Evelyn M. Simpson, *A Study of the Prose Works of John Donne,* 2nd ed. (Oxford, 1948), p. 159; A. E. Malloch, "A Critical Study of Donne's *Biathanatos,*" unpubl. diss. (University of Toronto, 1958), pp. 1–3, and S. E. Sprott, *The English Debate on Suicide from Donne to Hume* (LaSalle, Ill., 1961), p. 25, add details to make the case for 1608 surer.

2. *Letters to Severall Persons of Honour: written by John Donne* (London, 1651), sigs. F1^v–F2. We have modernized the spelling and punctuation of passages quoted from earlier English authors.

3. Dominic Baker-Smith, "Donne's 'Litanie,'" *RES,* n.s., 26 (1975), 171–73.

4. Biographical facts are taken from R. C. Bald, *John Donne: A Life,* ed. W. Milgate (Oxford, 1970), pp. 93ff.

5. See Bald, *Life,* pp. 202–12, and the discussion by T. S. Healy in his edition of Donne's *Ignatius His Conclave* (Oxford, 1969), pp. 168–73.

6. "The Life of John Donne," in *The Lives . . . Written by Izaak Walton* (London, 1670), sigs. C4^v–C6.

7. *Letters,* sigs. G4^v–H2. Another passage in this letter closely echoes a passage in *Biathanatos* (4492ff., in the present edition).

8. The desire for death as a recurring theme in Donne's writings is studied by D. R. Roberts, "The Death Wish of John Donne," *PMLA,* 62 (1947), 958–76.

9. *The Life and Letters of John Donne* (London, 1899), I, 263.

10. *Life,* p. 158.

11. Walton, "Life," sigs. C6–C6^v. In Donne's time, civilians practiced in ecclesiastical cases in England; the Canon Law had some authority, at least as much of it as conformed to the doctrine and organization of the Church of England (W. S. Holdsworth, *A History of*

English Law [London, 1924], I, 591–97; IV, 230–39, 488). Representing an Anglican viewpoint, Donne could say in *Pseudo-Martyr* that he would not "slacken the obligation which belongs to the ancient canons and decrees of the church" (sig. 2P3), but would restrict the acceptable legislation to "constitutions of orthodox councils" (sig. 2R2^v); cf. *Biathanatos*, II.ii.1–2.

12. Sig. ¶1; the most famous martyr among Donne's forebears was his maternal great-uncle, Sir Thomas More.

13. The surface similarities of *Biathanatos* and *Pseudo-Martyr* have been noted (see, for example, Simpson, *Study*, pp. 178–79), as has the similarity in treatment of their subjects—"exercises in casuistry" (the term is Helen Gardner's in her edition of Donne's *Divine Poems* [Oxford, 1952], p. xxv); but there is little recognition of any deeper affinity, perhaps because of the general lack of attention paid both works. *Pseudo-Martyr* is even less studied than *Biathanatos*.

14. This is the informed opinion of Healy, *Ignatius*, p. xviii.

15. The presentation letters are printed below, lines 11–60.

16. Simpson, p. 166, observed that "its method of treatment was such as to prevent its becoming a popular book, while the learned, who alone would study it, were already familiar with many of its arguments and examples"; Donne was, however, "prudent" in not trying to print it, because the "sharp-eyed ecclesiastical censors of the day would almost certainly have regarded the book as heretical and dangerous." The wording of Donne's letter to Goodyer (*Letters*, sig. F2) indicates that Goodyer may have expected the book to be printed. Simpson's statement about the familiarity of the learned with Donne's arguments is undocumented and almost certainly false.

17. See the comment of Helen Gardner in her edition of Donne's *Elegies and The Songs and Sonnets* (Oxford, 1965), p. xviii, n. 2.

18. *Study*, p. 166.

19. *The Sermons of John Donne*, ed. G. R. Potter and E. M. Simpson, 10 vols. (Berkeley and Los Angeles, 1953–1961), I, 209–10. On the "natural" obligation, see Aquinas, *Summa theologiae*, 1a2ae, q. 94, a. 2.

20. *Sermons*, ed. cit., VI, 79.

21. *Sermons*, VII, 297–98.

22. "The Libertine Donne" (1934), *Seventeenth Century Contexts* (London, 1960), pp. 42–62.

23. However, Robert Ornstein, "Donne, Montaigne, and Natural Law," *JEGP*, 55 (1956), 213–29, showed that Donne's critique of natural law depended neither upon libertine sources nor upon the more radical critique by Montaigne in the "Apologie de Raimond Sebond," but rested upon "traditional and quite respectable ethical theories"; in particular, Ornstein argues, Donne never separates ethical judgment from religion.

24. Gosse, I, 263.

25. Simpson, p. 179.

26. *Contrary Music: The Prose Style of John Donne* (Madison, Wisc., 1963), pp. 5, 11.

27. *English Debate,* p. 25. There was even gossip that held *Biathanatos* responsible for the suicides of some of its more impressionable and melancholy readers (Daniel Morhof, *Polyhistor literarius, philosophicus et practicus,* ed. J. Moller [Lübeck, 1704], p. 993; Jean Niceron, *Mémoires pour servir à l'histoire des hommes illustres,* VIII [Paris, 1729], 151–52). The Deist philosopher Charles Blount, who committed suicide in 1693 because he could not marry his deceased wife's sister, had earlier praised *Biathanatos* (Sprott, p. 71).

28. Williamson, "The Libertine Donne," pp. 42–53, examined John Adams, *An Essay Concerning Self-Murther* (1700); and Malloch, "Critical Study," pp. 5–8, collected some other seventeenth- and eighteenth-century references; the most extensive study of the literature is Sprott, pp. 56–93.

29. *John Donne and the New Philosophy* (1937; rpt. New York, 1958), p. 257.

30. Ibid., p. 258.

31. Ibid., p. 253.

32. *English Debate,* p. 25.

33. "The Techniques and Function of the Renaissance Paradox," *SP*, 53 (1956), 203; the previously cited "Critical Study of Donne's *Biathanatos*" (1958) is the extended exposition of this proposal. It may be noted that Malloch, too, has a therapeutic hypothesis to offer: as an antidote to his dissatisfaction with life, Donne found "the perfect activity for his restless spirit when he undertook to compose self-destroying arguments on the subject of self-destruction" ("Critical Study," p. 137).

34. *Paradoxia Epidemica: The Renaissance Tradition of Paradox* (Princeton, 1966), pp. 500–01. There is a danger of oversimplifying

Colie's arguments through summary characterization; only a thorough reading will do justice to her claim that the work is "a paradox about paradoxy . . . *Biathanatos* manipulates the psychological implications of the end of life and of all things precisely in order to deny the existence of such an end" (p. 507).

35. *Contrary Music,* pp. 5, 10.

36. On Donne's putative debt to Montaigne, see Louis Bredvold, "The Naturalism of Donne in Relation to Some Renaissance Traditions," *JEGP,* 22 (1923), 471–502. Williamson, especially, insisted on Montaigne's spirit in *Biathanatos* ("The Libertine Donne," p. 47), although Ornstein's argument (note 23, above) puts the matter in doubt. Williamson's comparison of *Biathanatos,* 1100–1101, to Montaigne's "le present que nature nous ait fait le plus favorable, . . . c'est de nous avoir laissé la clef des champs" may be apt, but Donne might equally have been echoing a turn of phrase in Seneca, *Epistulae morales,* XXVI.10 ("quid ad illum carcer? . . . liberum ostium habet"). See also Robert Collmer, "Donne and Charron," *ES,* 46 (1965), 482–88. Colie (op. cit., p. 500) thought Donne sympathetic to Stoic suicide.

37. The anomaly of classical arguments in a Christian context is shown interestingly in a manuscript treatise dated 1578 in British Library MS Additional 27,632, fols. 122–125^{v}, which Sprott (p. 16) recognized as the earliest defense written in English to favor suicide. In it Saul is imagined as defending his act by citing several classical authorities, especially Cicero.

38. This is comparable to Donne's strategy in *Pseudo-Martyr*; disputants may not use their own partisan authorities to convince their adversaries, but must convict them of faulty reasoning from mutually acceptable authorities.

39. From the preface to *De ratione tegendi et detegendi secretum,* lectures delivered at the University of Salamanca in 1540–41, and printed in 1552 and many times thereafter; translation from the edition of Douai, 1623, sig. A2^{v}.

40. Martyr's essay "An liceat cuiquam sibi inferre manus" is an excursus to his expositions on Saul's suicide (*In duos libros Samuelis . . . commentarii doctissimi,* 1564, etc.).

41. Printed in *Relectionum theologicarum secundus tomus* (Lyons, 1557); reprinted in *Relecciónes teológicas,* ed. L. G. Alonso Getino, III (Madrid, 1935), 24–38. Donne's three references to Victoria could have

come to him from a secondary source, but he shows in *Pseudo-Martyr* familiarity with another of the *Relectiones.*

42. Donne studied *De ratione tegendi* carefully, but his two citations from *De iustitia* probably came from a secondary source.

43. For Donne's comparison of Sotus and Navarre, see 2858ff., below, and the commentary on the passage.

44. *Summa theologiae,* Ia, q. 79, a. 13, for example.

45. The source of the major premise is the *synderesis,* as the schoolmen called the remnant of divine natural light in the soul of fallen man. Sayre, *Thesaurus,* I.i.2–4, and Carbo, *Summae,* I, I.ix and V.xii, provide reasonably clear and elementary expositions of this.

46. Sayre, III.ii.13, has an elementary treatment; but see Azorius, *Institutiones,* I.ii.9–17, for extensive discussion of the differences between the two forums, and of how the differences affect the standards of judgment in each. (Azorius' *Institutiones morales* are cited from the edition of Cologne, 1602–1612; the third volume, even in the earlier Rome edition, came too late for Donne's use in *Biathanatos.*)

47. *Manuale,* XV.4 (Antwerp, 1589), sig. 03^{v}.

48. See, for example, Azorius, I.v.6, q. 2, for a refutation of an older opinion that secular laws obliged only insofar as their sources were divine positive law.

49. The history of this development before crucial changes in the sixteenth century is given by Th. Deman, "Probabilisme," *Dictionnaire de théologie catholique,* ed. A. Vacant et al., XIII.1 (1936), 437ff.

50. *Manuale,* V.1–2 (ed. cit., sig. F2^{v}); cf. his instructions in XV.5 for the interrogation of a homicide's conscience.

51. Aquinas, *Summa theologiae,* Ia2ae, q. 7, a. 3, whom Carbo followed (I, IV.xii), used the Aristotelean division of eight circumstances; Navarre (VI.2) and Sayre (II.iii) preferred the division of seven from Cicero's treatment of forensic circumstances. A decree of the Council of Trent had codified the penitent's duty not only to name his sins, but also to enumerate circumstances.

52. *Letters,* sigs. M3–M3^{v}; treated by Azorius in I.ii.7–20.

53. This outline is drawn, in slightly simplified form, from Navarre, *Manuale,* XXVII.279–80; one measure of later changes in the theoretical

principles is Navarre's not having discussed the opinative state, which becomes far more important in Sayre and Azorius.

54. The *locus classicus* is Aquinas' discussion of erring conscience in *Summa theologiae,* la2ae, q. 19, aa. 5, 6.

55. See, for example, Carbo, I, V.xi.

56. General discussions of erring conscience are in Carbo, I, V.xii–xiii; Azorius, I.ii.8; and Sayre, I.iv. For Azorius' treatment, see also the Commentary to 3825 and 3839.

57. This case is from Carbo, I, V.xiii, 4th doubt.

58. *Pseudo-Martyr* (London, 1610), sig. 2M1.

59. Note that this sketches abstractly the reasoning implicit in the case Donne proposes at 4351–59.

60. Deman, though, points to instances of Aquinas' having adopted less safe opinions; art. cit., cols. 457–93, traces the development of this subject in the sixteenth century, and the present account is based largely on it.

61. *De ratione tegendi,* III.ii (Brie, 1582), sigs. S4-S4^{v}.

62. The fifth and sixth letters of Pascal's *Provinciales* are most frequently cited as representative of the critique of probabilism. The Protestant casuistry in England, which began to develop very late in the sixteenth century, also rejected probabilism, but there appears no evidence that Donne had read any of it. Therefore, his critique must be regarded as his own, and the attitudes held by William Perkins and other English moralists must not be ascribed to him.

63. Art. cit., col. 469.

64. "John Donne and the Casuists," *SEL,* 2 (1962), 57–76.

65. *Letters,* sig. C3.

66. Preface to *De libero arbitrio, Opera omnia,* IX (Leyden, 1706), 1220A.

67. Colie, op. cit., pp. 1–36, has a full discussion of all the literary uses of the term.

68. Malloch, "Critical Study," pp. 20–21; the letter was first printed from manuscript by Simpson, *Study,* p. 316. On Donne's short paradoxes, see Simpson, Chapter VI.

69. "Critical Study," p. 117.

70. Ibid., p. 114.

71. Ibid., p. 104.

72. Ibid., pp. 117ff.

73. This may be the point of his epigraph from John of Salisbury: "I do not insist on the truth of everything herein . . ." (10). It is not necessarily a warning against the author's opinions.

74. The range may be illustrated by three passages: the relation of suicide to Clement's definition of true repentance (1396ff.), the citation of Aquinas' inept similitude for Christ's voluntary death (4870ff.), and the comment on how to employ Simanca's definition of heresy (2554ff.).

75. D. C. Allen, "John Donne's Knowledge of Renaissance Medicine," *JEGP*, 42 (1943), 324: "One of the characteristics of Donne as a citer of authorities is that he either quotes incorrectly or sets down the reference inaccurately."

76. Malloch, "The Definition of Sin in Donne's *Biathanatos*," *MLN*, 72 (1957), 334: "The authorities in *Biathanatos* are quoted for effect, and so it is more appropriate for us to ask what effect Donne is seeking in a given reference [in order to explain its inaccuracy] . . . than to ask the sort of question which would suggest that Donne was at all concerned with accuracy *per se*."

77. See the Commentary for the following passages: 1903, 2001, 2354, 2472, 4002, 4063, and 4296.

78. "Critical Study," p. 49. The leading example Malloch offers is Donne's discussion of "despair" in I.i.3; this is certainly not an equivocation in any strict logical sense.

79. *Paradoxia Epidemica*, p. 501, n. 26; the context is an objection to Joan Webber's critique of the work's style.

80. For a discussion of definitional distinctions between "suicide" and "self-sacrifice," see Robert M. Martin, "Suicide and Self-Sacrifice," in *Suicide: The Philosophical Issues*, ed. M. Pabst Battin and David J. Mayo (New York, 1980), pp. 48–68.

81. See Peter Y. Windt, "The Concept of Suicide," in ibid., pp. 39–47.

82. According to the *Oxford English Dictionary*, "suicide" first appears in English in Walter Charleton, *The Ephesian and Cimmerian*

Matrons, printed in 1668. A. Alvarez (*The Savage God* [New York, 1972], p. 48) found it in Part I, section xliv, of Sir Thomas Browne's *Religio Medici,* printed first in 1642; Alvarez does, however, point out that the word was still sufficiently rare not to appear in the 1755 edition of Samuel Johnson's *Dictionary.*

83. See supra, p. xxvi, on Franciscus de Victoria.

84. See Sir William Blackstone, *Commentaries on the Laws of England,* Book IV, Chapter XIV: "A *felo de se* therefore is he that deliberately puts an end to his own existence, or commits any unlawful malicious act, the consequence of which is his own death. . . . The party must be of years of discretion, and in his senses, else it is no crime. But this excuse ought not to be strained to that length, to which our coroner's juries are apt to carry it, *viz.* that the very act of suicide is an evidence of insanity . . ." (18th ed., ed. Archer Ryland [London, 1829], IV, 189–190). A useful discussion of the legal status of suicide in England and the U.S. is available in Glanville Williams, *The Sanctity of Life and the Criminal Law* (New York, 1974), Chapter VII.

85. Robert Burton, *The Anatomy of Melancholy* (1621), Part I, Section iv, Member 1 (New York, 1927), p. 374.

86. There is some superficial similarity between Donne's argument here and one later advanced by David Hume ("On Suicide," *The Philosophical Works of David Hume* [Edinburgh, 1826]). If one accepts the premises of the traditional religious argument, Hume holds, it will be "a kind of blasphemy to imagine that any created being can disturb the order of the world, or invade the business of Providence" (p. 565) by suicide; hence one must conclude that "When I fall upon my own sword, therefore, I receive my death equally from the hands of the Deity as if it had proceeded from a lion, a precipice, or a fever" (p. 563). However, Donne's argument is based on epistemological considerations; Hume's appeals to metaphysical determinism to show suicide not necessarily a sin.

87. *Summa theologiae,* 2a2ae, q. 64, a. 5.

88. Supra, p. xii.

89. *Summa theologiae,* art. cit. "The Philosopher" is Aristotle; Aquinas cites *Nicomachean Ethics,* 1138^a 12–13: "This is also the reason why the state punishes [suicide]; a certain loss of civil rights attaches to the man who destroys himself, on the ground that he is treating the state unjustly" (trans. W. D. Ross, *The Basic Works of Aristotle,* ed. Richard McKeon [New York, 1941], p. 1021).

90. Donne may have been familiar with the treatment of a similar issue in the *Summa theologiae*, 1a2ae, q. 20, where Aquinas urged that the goodness of an external act must not be judged by the good will behind it alone, but as well by reason, the separate faculty responsible for determining whether the circumstances of the act in fact permit achievement of the will's good intention. Aquinas' position is still an intentionalist one, and Donne's arguments do not seem inconsistent with it; perhaps Donne may be interpreted as having collapsed the functions of will and reason into a single concept, that which we have called "motive," without necessarily denying the responsibility of both functions in the deliberations of a moral agent.

91. The contemporary Roman Catholic formulation holds that an act with double effect is licit under the following conditions: "1. The act itself must be morally good or at least indifferent. 2. The agent may not positively will the bad effect but may merely permit it. . . . 3. The good effect must . . . be produced directly by the action, not by the bad effect. . . . 4. The good effect must be sufficiently desirable to compensate for the allowing of the bad effect" (F. J. Connell in *The New Catholic Encyclopaedia* [1967], IV, 1021; see also Robert M. Martin, "Suicide and Self-Sacrifice," in *Suicide: The Philosophical Issues*, ed. cit., pp. 57–62).

92. The landmark case in American law concerning an omission in failing to save the life of another is *Jones v. United States* (380 F.2d 307, 1962).

93. Philosophical treatments of the issue, particularly as it applies in bioethics to the distinction between killing and "letting die," may be found in Jonathan Bennett, "Whatever the Consequences," *Analysis*, 26 (1966), 83–97; P.J. Fitzgerald, "Acting and Refraining," *Analysis*, 27 (1967), 133–39; and Daniel Dinello, "On Killing and Letting Die," *Analysis*, 31 (1972), 83–86. Diverse discussions by legal theorists, and the text of the *Jones* decision, are collected by Kenneth Kipnis, *Philosophical Issues in Law: Cases and Materials* (Englewood Cliffs, N.J., 1977), pp. 99–158.

94. *Summa theologiae*, 2a2ae, q. 64, a. 5.

95. *The City of God*, I.26, trans. Henry Bettensen (Harmondsworth, Eng., 1972), p. 37.

96. Ibid.

97. Jorge Luis Borges, in a brief essay "The *Biathanatos*" in his *Other Inquisitions 1937–1952* (trans. Ruth L. C. Sims; Austin, 1964),

observes that Donne does imply that Christ committed suicide, but takes this as evidence that Donne's purpose in *Biathanatos* must have been an indirective one. According to Borges, this "baroque idea is perceived beneath the *Biathanatos*—the idea of a god who fabricates the universe in order to fabricate his scaffold" (p. 92).

TEXT AND EDITORIAL TREATMENT

The extant texts

There are two substantive texts of *Biathanatos* extant. The earlier is a manuscript copy (hereafter referred to as "M") given by Donne to his friend Edward Herbert, and the later is the quarto ("Q") published by Donne's son some fifteen years after his father's death.

Now Bodleian MS e Musaeo 131 (Summary Catalogue 3513), M was made up of, originally, 150 leaves paginated [i]–xxxvi + 1-264,[1] and bears the following title:

> Biathanatus. A Declaration of y^{t} Paradoxe or Thesis, that Selfe-homicide is not so naturally Sinne, that it may neuer be otherwise. Wherein the Nature, & the extent of all those Lawes, w^{ch} seeme to be violated by this Act, are diligently Suruayd. Jo: Saresberiens: De nugis Curial: Prolog: Non omnia vera esse profiteor, Sed legentiũ vsib^{9} inservire.

Its contents are: p. viii, notice of Herbert's donation of the book to the Bodleian Library in 1642; p. x, Donne's undated autograph letter presenting the book to Herbert; p. xi, title; pp. xii–xiv, list of "Authors Cited in this Booke"; pp. xv–xxxvi, an analytical table of contents, headed "A Distribution of the Booke, into Parts, Distinctions, and Sections"; pp. 1–[260], text.

M is in the main a scribal copy. The title, list of authors, the Distribution, the headlines giving Part, Distinction, and Section numbers, and the text are the scribe's transcription; the marginal citations, however, Donne entered in his own hand, and he made seven corrections—three single-word substitutions and four insertions of omitted matter—in the text.[2] Reflected in the scribe's work in M are a number of Donne's characteristic spellings, forms, and elisions, as well as some errors perhaps ascribable to the scribe's confusion of Donne's spelling "yt" (for "it") with Donne's abbreviation "y^{t}" (for "that").

The date of M's transcription is disputable. The completion of the work in 1608 gives the earliest possible date; since the presentation letter accompanying M is addressed to "S^{r} Edward Herbert," the latest possible date is 1629, for in that year Herbert was given the title Lord Herbert of Cherbury. Sending the holograph of *Biathanatos* to Sir Robert Ker in 1619, Donne wrote, "No hand hath passed upon it to copy it" (44–45). If this statement is accurate, then Herbert's copy must have been executed after that date, but it has been proposed that Donne's memory was faulty, and that Herbert's copy is earlier than 1619.[3] One piece of evidence that may support the latter possibility is the close of the presentation letter in M, "yo^{r} uery true and earnest frinde, and Seruaunt and Louer," a form used characteristically by Donne in letters written to good friends before his ordination in January, 1615, but not at all like the forms he regularly used afterwards to the same friends, which are represented by the close of the letter sending *Biathanatos* to Ker, "Your poor servant in Chr. Jes." The pre-ordination form in the Herbert letter, then, makes it more likely that M was completed before 1615 than after, despite Donne's later claim to Ker that the holograph had never been copied. Donne and Herbert had been friends from 1608 or 1609,[4] but it is uncertain whether Donne would have trusted Herbert at the beginning of the friendship with a "misinterpretable" book; they were, however, exchanging verse letters a year or two later. If M was transcribed specifically for presentation to Herbert, its most reasonable range of dates would seem to be 1610 to 1614.

Of the quarto, Q, at least sixty copies of the edition are extant, in two issues distinguished by different title pages.[5] An *imprimatur* dated 20 September 1644 appears on the final leaf (sig. $2E2^{v}$) of all copies, giving the date after which printing began. One of the issues (Wing D 1858) has no year on its title page:

> BIAΘANATOΣ. A Declaration of that Paradoxe, or Thesis, that Selfe-homicide is not so naturally Sinne, that it may never be

> otherwise. Wherein the Nature, and the extent of all those Lawes, which seeme to be violated by this Act, are diligently surveyed. Written by Iohn Donne, who afterwards received Orders from the Church of England, and dyed Deane of Saint Pauls, London. Jo: Saresb. de nugis Curial. Prolog. Non omnia vera esse profiteor. Sed legentium usibus inservire. Published by Authoritie. London, Printed by Iohn Dawson,

The other issue (Wing D 1859) is identical to this, save for a different title page carrying the imprint

> London, Printed for Humphrey Moseley, and are to be sold at his shop at the Princes Armes in St. Pauls Churchyard. 1648.

Both issues collate ¶^{4} (*)^2 $^\pi$A^4 A–2D^4 2E^2. The evidence of dated inscriptions in presentation copies—Donne the Younger gave out at least twelve copies of the undated issue—favors 1647 as the year of publication,[6] a date consistent with the book's entry in the Stationers' Register on 25 September 1646.

Q is the basis of all the later nonsubstantive texts of *Biathanatos*. A second edition (Wing D 1860), an octavo derived immediately from Q, was printed in 1700.[7] In 1930, the Facsimile Text Society published a photographic facsimile of one of the Library of Congress copies of the undated issue of Q, with a bibliographical note by J. William Hebel; this facsimile, without Hebel's note, was reprinted photographically in 1977 by the Arno Press in its "Literature of Death and Dying" series.

In the principal divisions of its contents and in its arrangement, Q is congruent with M; these features must have been determined by Donne himself in conformity with the period's conventions for moral and legal treatises addressed to learned audiences. There are some minor differences in format between Q and M; these will be discussed in a later section. Q exhibits a single bibliographical peculiarity, discovered by Hebel from a limited canvass of copies in American libraries: there are two typesettings of sheet S (comprising lines 3706 through 3891 in this edition). We designate them here Qa, represented by the copy reproduced in Hebel's facsimile, and Qb, found, for example, in all four British Library copies.[8] The editorial consequences of the dual typesetting are discussed in the next section.

Relations and characteristics of the texts

Counting Qa/Qb differences, there are in the text some 825 substantive variations between Q and M. Literal or mechanical errors (dittographies, dropped letters, turned letters, foul case) account for 11 percent of them, and are about evenly divided between Q and M. Morphological variations (e.g., among/amongst, temptation/tentation, and the -s/-th alternation in present indicative third-person-singular verbs) comprise 21 percent of the total. For most of these variations, we cannot determine with certainty what form Donne actually wrote, because neither he, in other works, nor the texts exhibit consistent patterns of choice within themselves. M does exhibit many forms which Donne is known to have used elsewhere (e.g., "ought" for "owed," "furder" and "farder" for "further" and "farther," "tyran" for "tyrant"), a fact which may suggest that M more often preserves Donne's usage than does Q, and that Q represents a modernization of its manuscript according to the conventions of a mid-seventeenth-century printing house. Some modernization must have occurred in Q's composition, yet in a great many variations its reading gives a more "archaic" form than does M's. About 560 variations involve a difference in meaning between Q and M. Some of these differences are negligible, as between alternative grammatical forms (e.g., indicatives vs. subjunctives) which barely affect the sense. Others, however, are of consequence, as between alternative wordings which affect either rhetorical pattern or lexical meaning or both.

It is likely that neither Q nor M was copied directly from Donne's holograph. Both texts (marginalia excluded) agree in evident errors—passages requiring editorial emendation—seventeen times.[9] Five of these are numeral errors in the table of contents; these lapses may have been in the holograph, and there are perhaps others which Donne himself was responsible for. But it is less likely that Donne wrote "external" for "eternal" at 1428, or "reditus" for "reditum" at 1791, or "celeritas" for "sceleritas" at 2501. These are lapses for which a copyist, unfamiliar both with technical subject matter and with Latin, is more probably responsible, a circumstance which suggests that these and similar errors originate in a scribal transcript of Donne's holograph.

Since, further, Q and M each have independent errors, we may hypothesize the descent of Q and M as collateral from that first transcript. There is no evidence of intermediary transcripts.

Though the present edition is a modernization in all accidental features, the choice of a base text (analogous to the "copy text" whose accidentals are reproduced in an old-spelling edition) is still necessary in the interest of adopting its morphology and resolving more important variations where a choice cannot be made on other than arbitrary grounds. The issue, then, is to determine which, of Q and M, more faithfully preserves the substantive readings of that transcript.

M generously meets the circumstantial criteria for authoritativeness: it is a presentation copy from its author, and it was contributed to and corrected by him. Judged by its accuracy and integrity of transcription, however, it is a poor text indeed, and would need much emendation even were there no second text for comparison. It abounds in omissions, trivializations, bad guesses at the form and spelling of unfamiliar words, and garbled Latin. The seven corrections Donne made in the text are but a small fraction of those he might have made, had he examined his copy more closely; in fact, he neglected even to supply omissions his copyist had marked as wanting.[10] Five of the seven corrections occur in the immediate region of a marginal citation, suggesting that Donne did no more than mark those errors upon which his gaze fell in the course of entering the notes. It is quite clear that Donne did not undertake a thorough editorial scrutiny of M, and his having presented the book to Herbert cannot be evidence of his full approval of its transcription.

The greater, though not absolute, reliability of Q can be recognized through examining the two principal kinds of variation that affect meaning in substantial ways: substitutions, where the texts differ consequentially in wording, and variations involving one text's omission of words found in the other. There are 272 variations between M and Q involving lexical substitutions;[11] 79 may be considered indifferent and 46 are disputable, but M is clearly more at fault where choices can be made with confidence: Q has 46 errors, Qa alone has one, but M has one hundred. Of the 187 variations involving omissions,[12] 181 of them involve omissions of one to three words; sense is not affected in 76 of these; 15

may be disputable, Q is in error 10 times, Qa alone twice, but M is in error 78 times. M has in addition 6 substantial omissions of 5 to 36 words, only one of which (4713–14) Donne restored in the margin. Along with its typically careless transcription of unfamiliar names[13] and its frequent guessing at the spelling of Latin words, M habitually trivializes hard, but precise, words. Examples are "excellent" for "exquisite" (1457), "superiors" for "supervivors" (2082), "profession" for "profusion" (1900), and "examination" for "exinanition" (4831). By comparison, readings preferable for their hardness alone are rare in M.

A copyist who errs in important things may be suspected of at least equally frequent error in smaller matters. Because it is clear that M is the less reliable text in those cases in which it is possible to determine a correct reading from context, we assume that M is also likely to be less reliable in matters which cannot be so determined; thus, we adopt Q as the base text on the principle that, where choices between variants must be arbitrary, Q will more regularly preserve what Donne wrote.[14] But this is not to place an incautious reliance on Q, for in many places the compositor's carelessness or inability to decipher his copy has resulted in lapses easily correctable from M.[15]

The problem of Q's sheet S is a special one, since choices must be made among three texts rather than two. The relationship between Qa and Qb, to each other and to the manuscript that served as printer's copy, is by no means a straightforward matter. Determination of which was the first setting may depend on the hypothesis proposed to explain the need for the second setting;[16] the more important editorial question, however, is whether each setting is substantive or derivative. Whichever was first must have been set from manuscript copy; the other may have been set from manuscript, or from a corrected sheet printed from the first setting, or from an uncorrected sheet of it. Examination of the text shows some fifty variations of substance (in both text and marginalia) between Qa and Qb, in thirty-six of which, involving more than literal differences, the Qb variant agrees with M. If we can assume that these agreements are not in bulk fortuitous, but that all or most reflect authoritative readings, then we can conclude that Qb was not set from an uncorrected sheet of Qa, and that its setting involved some form of consultation with the printer's manuscript copy. The greater integrity of Qb permits the hypothesis that Qa is the earlier setting, and that Qb was set specifically to correct an intolerable incidence of error in Qa, and as well to replace Qa's rather sloppy printing—its inner forme has two dropped letters on S1^v, evidence of loose type in the lowermost marginal note on S2, and text spilling into the direction line on S3^v; its outer forme omits an entire marginal note on S4^v. Evidence for the direct consultation of the manuscript in the composition of both Qa and Qb is found by comparison of the marginal notes in the two settings, where the names of authors and titles of books are abbreviated differently in each. Where a compositor is most unlikely to be familiar with the full names of authors and titles, his abbreviations will amount to as much as or less than, but never more than, what his copy has. In fourteen places where abbreviations vary, Qa has a longer form seven times, and Qb has a longer form seven times. The longer version cannot have been copied from the shorter at these points, hence the unlikelihood that either setting served as copy for the other. Thus both Qa and Qb are substantive texts, and, in the editorial treatment of sheet S, an agreement between M and one of the settings probably yields a correct reading.

Editorial procedure

In the construction of the critical text of *Biathanatos*, each variation has been examined independently and resolved, where it can be resolved, on the basis of these principles, applied in the following order: (1) what the process of Donne's immediate argument requires; (2) what consists with Donne's argument elsewhere in the treatise; (3) what the style Donne is using demands; (4) what consists with the phraseology elsewhere in the treatise; and, for borrowed material, (5) what the source he is using says (Donne cannot be held to having quoted or paraphrased with precision, but where either Q or M follows the source, we prefer its reading). Where the choice cannot be made on one or more of these principles, we adopt Q's reading. The resolution of variations in Q's sheet S is based on the same five principles; however, where these are insufficient to favor a given reading, preference is given to those readings in which either setting agrees with M, and, in conformity with the choice of Q as base text, to those readings where Qa and Qb agree against M. The Commentary provides discussion of emendations and all points in the text where the choice of variant is crucial to Donne's meaning.

The critical apparatus records all substantive editorial alterations of the base text and all substantive variations except for eight merely mechanical errors (e.g., turned letters) in Q. Also omitted are a number of morphological variations which involve consistent modernization in this edition. Our modernization extends to many words whose older forms and spellings (as given in one or both of the texts) indicate pronunciations different from their modern cognates. A complete list of these modernizations follows, giving the forms adopted in our text, with the Q and/or M forms following in parentheses: account (accompt), alloy (allay), appearance (apparence), burden (burthen), damage (domage), emplaster (emplaister), farther (farder), further (furder), Hadrian (Adrian), interested (interessed), Jerome (Hierome), Jerusalem (Hierusalem), merchandise (marchandize), murder (murther), Nebuchadnezzar (Nebuchodonosor), otherwise (otherwaies), perfect (perfit), precedent (president), Tarragon (Tarracon), temptation (tentation), thoroughly (throughly), tyrant (tyran), wreck (wrack), wrestle (wrastle). Where morphological variation is not a matter of spelling differences only, Q's usage is adopted; thus we give "among" or "amongst" and -s or -th as the suffix of third-person-singular present indicatives as Q, seemingly at random, distributes them, and we reject variants from M where its equally random distributions display differences from Q. The present text based on Q is, of course, inconsistent in such choices, but it is no more inconsistent than M, and its inconsistencies may be taken to reflect Donne's own style. Modernization of spelling, of punctuation, of capitalization, and of italicization is carried out silently, as are paragraph divisions, which are infrequent in M and arbitrary in Q. Abbreviations are expanded silently when their full forms are clear.

This edition aims to present Donne's work for what it is, a seventeenth-century treatise in moral theology. The format Donne chose for it is integral to the impression the work makes; we have departed from that format only in ways which make the work more accessible to the modern reader, but do not misrepresent it. There remains, then, to outline the policies we have used in the editorial treatment of format.

At some point in his work on *Biathanatos,* Donne composed short topical summaries of each phase of his argument throughout the book. These may have constituted the outline he wrote from; more probably, they were written after the work was complete, and then entered as sidenotes at the appropriate places in the manuscript. It is from these sidenotes that the Distribution, or analytical table of contents, found in both Q and M, was composed.[17] These summaries have sidenote position in Q, and, presumably, in the transcript behind Q and M; but Donne chose not to transcribe them in the margins of M. Because the matter of the Distribution and of the sidenotes is, save for variations in wording, repetitive, the sidenotes are not included in this edition.[18]

Both Q and M indicate the Parts, Distinctions, and Sections of the work by a headline on each page. In the text, Q indicates each Distinction and Section by spacing and a numerical title; M does this only for Parts, indicating Distinctions and Sections sometimes by paragraphing, sometimes by virgules, and sometimes not at all. This edition strikes a compromise: Parts and Distinctions are given their numerical titles, and Sections are numbered in parentheses at their beginnings.

Perhaps the most difficult matter of editorial procedure is the establishment of a coherent policy for rendering Donne's quotations. He indicated matter cited from his sources either by italicizing it, or by enclosing it in square brackets, or by both means; these methods of distinguishing borrowed matter are commonly encountered in legal and casuistic works of the period (for example, Tholosanus' *Syntagma* and the 1601 volume of Sayre's *Thesaurus*), and are used by both Q and M. Both Q and M use lower-case letters (superscript and in serial order within the page in M, in parentheses and serially ordered within the Section in Q) to refer the reader from matter cited in the text to the marginal citation of its source. In both texts, the letter is usually positioned before the cited matter begins (again, this is common to texts of the period, and is the ancestor of modern footnoting conventions); in this edition, Donne's seventeenth-century system has been replaced by the contemporary convention of superscript numbers placed at the end of the cited matter in the text, and the references appear at the bottom of the page; the citations are numbered serially within each Distinction. Merely indicative marginalia (e.g., the names of suicides catalogued at 1828–88) are omitted, but all references, including Ibid.'s and Supra's, are retained. In each case, the fullest form of the citation, whether from Q or M, has been adopted, and its abbreviations have been expanded as much as is requisite for clarity; sometimes Q and M forms are conflated to give the maximal amount of information.[19] Where standard partitions of works Donne cites existed in his time, and where we can be fairly sure that we have consulted an edition close to the one he used, we have corrected his errors of citation; we have also clarified some references by including additional information in square brackets. Donne admits (186) to not having checked his citations, but his accuracy, while not approaching fastidious standards, is higher than has sometimes been thought.[20] The apparatus does not record all the substantive variations in the citations; differences in the order of information, the presence or absence of information duplicated in the text, and alternate forms of names are omitted. Also omitted are both texts' errors in reference letters. The apparatus does record all editorial alterations in the information cited, and all variation that involves differences in information.

Donne's "quotations" are often far from literal. In *Pseudo-Martyr* (sig. ¶2), he describes his style of using borrowed matter: "I do not always precisely and superstitiously bind myself to the words of the authors; . . . sometimes I collect their sense, and express their arguments or their opinions, and the resultance of a whole leaf in two or three lines." Almost all of Donne's citations are paraphrase or summary, even where portions are given in Latin. As an alternative to the italic-and-square-bracket method, we have adopted the contemporary counterpart of roman type and quotation marks, but we have used the latter only where the quotation is literal, or very nearly so. Donne's paraphrasings and "collections of the sense" of an argument in abbreviated or rephrased form are left to express themselves in indirect discourse, and the scope of such material is indicated by the superscript numbers provided for reference to the source of that material.

A note on citations

Most of the citations will be readily intelligible to the reader accustomed to modern footnote conventions. Donne regularly gives an author's name, a title, and a reference to the book and chapter, or other appropriate division, of the work. Only rarely, though, does he cite a specific edition by giving its year of publication and the page number of his citation. His titles are often altered from their originals in order to shorten them. Full bibliographical detail on the books Donne used will be found in the Commentary.

All citations to "Thomas" or "Aquinas" refer to the *Summa theologiae* if they have the form, for example, 2a2ae, q. 64, a. 5, that is, the fifth article of the sixty-fourth question in the second part of Part II.

Donne uses conventional citations for his references to the Canon Law and the Civil Law. The latter is cited by the specific law's place in the *Corpus Iuris Civilis* (i.e., *Digest* or *Codex*), the book number, the title number and/or title, and the law's number and/or incipit. Thus "*Digesta*, lib. 48, tit. 16, lex 6 *Omne delictum*" refers to the sixth statute (whose first words are "Omne delictum") under Title 16 in Book 48 of Justinian's *Digest*.

Most of Donne's references to the Canon Law, or *Corpus Iuris Canonici*, are to its first major division, the *Decretum* of Gratian. These citations have two forms. Those with a distinction number and a Latin incipit refer to the first part; those with an arabic numeral, a question number, and an incipit refer to the second part. Thus "Dist. 10, *Certum est*" is a citation of Canon 12 (which begins "Certum est") in *Decretum*, Part I, Distinction 10; a citation to "12, q. 1, *Duo sunt*" refers to *Decretum*, Part II, Cause 12, Question 1, Canon 7 (beginning "Duo sunt").The other divisions of the Canon Law, e.g., the *Decretales* of Gregory IX, are arranged in books, titles, and canons for the most part as the Civil Law is, and their citation is analogous.

Exceptions to these conventions and other problematic citations are clarified in the Commentary.

Notes

1. Leaf i/ii, probably blank, has been cut out close to the inner margin. The book is still in its original binding, and the paper carries a flag watermark, similar or identical to Heawood 1369 (dated only to the early seventeenth century).

2. The substitutions are on pp. 11, 31, and 133 in M (1264, 1587, and 3248); the insertions are on pp. 99, 104, 107, and 215 in M (2688, 2764–65, 3482, 4713–14). Donne also corrected one of his own citations (M, p. 151). Corrections made *currente calamo* by the scribe are frequent, averaging about one in every three pages. Words or parts of words underlined as marks for deletion or alteration are found on pp. xiii (twice), xxxvi, 43, 63, 100, 192, 230, and 237; the source of these is unknown.

3. Arguments for a date between 1619 and 1629 are advanced by Ernest Sullivan in his dissertation, "A Critical Old-Spelling Edition of John Donne's *Biathanatos*" (U.C.L.A., 1973), pp. 129–34. Donne's lapse of memory is suggested by Evelyn Simpson (*Study*, p. 162); she holds that Donne would not have "retained sufficient interest in his old studies to cause a new copy of the book to be made," and to annotate it, after his return from Germany in 1621.

4. Bald, *Life*, p. 184.

5. Geoffrey Keynes, *A Bibliography of Dr. John Donne*, 4th ed. (Oxford, 1973), items 47 and 48.

6. See Sullivan, "Manuscript Materials in the First Edition of Donne's *Biathanatos*," *SB*, 31 (1978), 210–21, for a census of presentation copies and a discussion of handwritten corrections by Donne the Younger made in the printed text. Only one of these—the correction of Q "exacted" to "exalted" on sig. 2E2 (5461)—is in the text itself; the rest are in the dedicatory epistle. To Sullivan's list of the copies with the handwritten corrections may be added that in the Niedersächsische Staats- und Universitäts-Bibliothek in Göttingen.

7. Keynes, item 49. There is a notice of an edition of 1644 in the Johann Moller revision of D. G. Morhof's *Polyhistor literarius, philo-*

sophicus, et practicus (Lübeck, 1714), p. 994, which is repeated in Jean Niceron, *Mémoires pour servir à l'histoire des hommes illustres,* VII (Paris, 1729), 152. No such edition has come to light.

8. Two B.L. copies are of the undated issue, one is of the dated, and one lacks its title page. Sullivan, "Post-Seventeenth-Century Texts of John Donne's *Biathanatos,*" *PBSA*, 68 (1974), 379ff., corrected Hebel's impression that one of the settings was exclusive to each of the issues.

9. The emendations occur at 370, 437, 511, 658, 771, 826, 892, 909, 1428, 1791, 1994, 2501, 2517, 2807, 2915, 4366, and 4811.

10. Indicated by ellipses on pp. 42 and 91 in M (1772 and 2551).

11. Not including M's errors corrected by Donne. The figures given in these statistical analyses are, of course, disputable. How one identifies an "indifferent" variation and how one becomes satisfactorily "confident" in a choice among variants must remain to an extent subjective. But our figures are based on a very broad definition of "indifferent"; it includes every variation which, even though a preference might be defended, has no effect on the substantial content of a passage.

12. Not including the two deliberate omissions (note 10, above), and one long passage (2679–87) which is not in M probably because Donne added it to the book either on an insert missed by the copyist or after M's transcription (see Sullivan, "The Genesis and Transmission of Donne's *Biathanatos,*" *The Library*, 5th ser., 31 [1976], 58).

13. In this, Q is regularly at fault only once, in its making "Ochins" (i.e., the genitive of the anglicization of Ochino) into "Ochius" through the n/u confusion which is characteristic of both secretary and italic hands.

14. The present editors have not found it necessary to indicate all their disagreements with Sullivan in matters of technical detail and interpretation of evidence. But the most consequential difference is in the assessment of M's reliability against Q's. In his dissertation and in the articles cited above, Sullivan is persistently concerned to argue the superiority of the manuscript over the quarto. In his preference for the accidentals of M as the basis of an old-spelling text, he is perhaps justified, but the text he gives in his dissertation is little else than a reprint of M with almost all its imperfections in substantive features. The dissertation of Charles T. Mark (Princeton, 1969), which is the only other modern edition of *Biathanatos*, uses Q as copy-text for an old-spelling edition; Professor Mark is currently preparing an old-spelling edition to be published by the Clarendon Press.

15. Notably at 1425, 2112, 2947, 3304, and 4110.

16. Sullivan, "Marginal Rules as Evidence," *SB*, 30 (1977), 174–75, argued that Qa was the resetting. There is no inevitability in his inferences from the physical evidence (e.g., that S4^v in Qb must have been printed before Qa's S1 and S2^v because the latter use two of the rules from the former's skeleton), and his hypothesis that Qa replaced Qb's nonconforming accidentals has, at best, equivocal evidence in its support, and seems no more probable than the argument proposed here that Qb is the resetting because it corrected Qa's errors. Of course, either setting might be the later on the hypothesis that sheets printed from one replaced the loss of a portion of the perfected sheets printed from the other, the type from which had already been distributed by the time of the loss.

17. The priority of the sidenotes is indicated by the want of three of them in the Distribution (320–21, 359, and 616) and two errors in the Distribution (511 and 909) which are correctable from the sidenotes in Q. We have made the corrections and inserted the wanting notes in their places, even though both the omissions and errors are likely to be Donne's fault.

18. The wording in Q's sidenotes may frequently be compositorial, rather than authorial, dictated by space exigencies in the typically crowded margins. A notable example is the first sidenote in III. v. 2, sig. 2B3^v, which reads, "Of Acts which were not fully selfe-murders, but approaches"; the phrase "selfe-murders" is most unlikely to be Donne's, but it fits the line length. The corresponding head in the Distribution reads "selfe-homicides."

19. Most of the marginal citations are in Latin, but Donne was not always consistent; in expanding abbreviations, then, it is not always clear whether a word should be given in Latin or English. It is worth remembering that Q's marginal citations have as much Donne's authority as his own transcriptions in M. He did not make errors of the kinds that owe to the compositor's unfamiliarity with the books and authors, but he did sometimes fail to transcribe accurately.

20. This confirms the observation of Healy (*Ignatius*, p. xxviii) that in that book "Donne's marginal references are generally quite accurate." See above, pp. xl–xli.

BIATHANATOS

A Declaration of that Paradox or Thesis, that
Self-Homicide is not so naturally Sin that it
may never be otherwise;

wherein the Nature and the Extent of
all those Laws which seem to be violated
by this Act are diligently surveyed.

Ioannes Saresberiensis, *De nugis curialium,* prologus:
Non omnia vera esse profiteor; sed legentium usibus inservire.

1–10 *See textual introduction for variant title pages*

To the noblest knight,
Sir Edward Herbert.

Sir,

I make account that this book hath enough performed that which it undertook, both by argument and example. It shall, therefore, the less need to be itself another example of the doctrine. It shall not, therefore, kill itself, that is, not bury itself; for if it should do so, those reasons by which that act should be defended or excused were also lost with it.

Since it is content to live, it cannot choose a wholesomer air than your library, where authors of all complexions are preserved. If any of them grudge this book a room, and suspect it of new or dangerous doctrine, you, who know us all, can best moderate.

To those reasons which I know your love to me will make in my favor and discharge, you may add this: that though this doctrine hath not been taught nor defended by writers, yet they, most of any sort of men in the world, have practiced it.

Your very true and earnest friend
and servant and lover,
John Donne

To Sir Robert Ker, now Earl of Ancrum, with my book *Biathanatos,* at my going into Germany.

Sir,

I had need do somewhat towards you above my promises. How weak are my performances when even my promises are defective! I cannot promise, no, not in mine own hopes, equally to your merit towards me.

But, besides the poems (of which you took a promise), I send you another book, to which there belongs this history. It was written by me many years since, and because it is upon a misinterpretable subject, I have always gone so near suppressing it as that it is only not burnt. No hand hath passed upon it to copy it, nor many eyes to read it; only to some particular friends in both universities then, when I writ it, I did communicate it, and I remember I had this answer: that certainly there was a false thread in it, but not easily found.

Keep it, I pray, with the same jealousy. Let any that your discretion admits to the sight of it know the date of it, and that it is a book written by Jack Donne and not by Dr. Donne. Reserve it for me if I live, and if I die, I only forbid it the press and the fire. Publish it not, but yet burn it not; and between those, do what you will with it.

Love me still thus far for your own sake, that when you withdraw your love from me, you will find so many unworthinesses in me, as you grow ashamed of having had so long, and so much, such a thing as

Your poor servant in Christ Jesus,
John Donne

To the Right Honorable, the Lord Philip Herbert

My Lord,

Although I have not exactly obeyed your commands, yet I hope I have exceeded them, by presenting to your Honor this treatise which is so much the better by being none of mine own, and may therefore, peradventure, deserve to live for facilitating the issues of death.

It was written long since by my father, and by him forbid both the press and the fire; neither had I subjected it now to the public view, but that I could find no certain way to defend it from the one but by committing it to the other. For since the beginning of this war, my study having been often searched, all my books (and almost my brains, by their continual alarums) sequestered for the use of the Committee, two dangers appeared more eminently to hover over this, being then a manuscript: a danger of being utterly lost, and a danger of being utterly found and fathered by some of those wild atheists who, as if they came into the world by conquest, own all other men's wits and are resolved to be learned, in despite of their stars that would fairly have inclined them to a more modest and honest course of life.

Your Lordship's protection will defend this innocent from these two monsters, men that cannot write and men that cannot read; and, I am very confident, all those that can will think it may deserve this favor from your Lordship. For although this book appear under the notion of a paradox, yet I desire

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65 this] the *Q originally; altered by hand*

69 written] writ *Q originally; altered by hand*

your Lordship to look upon this doctrine as a firm and established truth: *Da vida osar morir.*

Your Lordship's most humble servant,
From my house in John Donne.
Covent Garden, 28 September.

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92 September] *omit Q originally; inserted by hand*

Authors cited in this Book

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116 Azpilcueta *Ed.*] Arpilcueta *Q M*

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Artemidorus
Iulius Caesar
Iosephus
Vegetius
Acacius
Ioannes Picus
Heurnius
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Baronius
Ignatius

Alphonsus Castro
Schultingius
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Albericus Gentilis
Pruckmannus
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Vita Philippi Nerii
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Gregorius Nazianzus
Canones apostolorum
Lucas de Penna
Optinellus
Laertius
Binsfeldius
Pedraza
Sextus Senensis
Paracelsus
Metaphrastes
Surius
Gregorius de Valentia
Brentius
Theophylact
Hesychius
Marloratus

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154 Theophylact] Theophylact Ennodius *M* (*latter word marked for deletion*)

Schlusselburgius
Agapetus
Reuchlin
Martialis *Ad Tholosanos*
Saravia
Sylvester
Liber conformitatum S. Francisci et Christi
Cassianus
Procopius Gazaeus
Ardoynus
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Alcuinus
Cornelius Celsus
Idiotae *Contemplatio de morte*
Baldus
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Ioannes Gerson
Lylius Geraldus
Mariana
Sansovinus
Lambert
Franciscus à Victoria
Wierus
Kepplerus
Lyra
Burgensis
Petrus Lombardus
Sophronius
Scultetus
Euthymius
Paterculus
Cassanaeus

In citing these authors, for those which I produce only for ornament and illustration, I have trusted my own old notes, which, though I have no reason to suspect, yet I confess here my laziness, and that I did not refresh them with going to the original. Of those few which I have not seen in the books themselves—for there are some such, even of places cited for greatest strength—besides the integrity of my purpose, I have

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163 *conformitatum*] *coformitatū M*
172 Wierus] Wierius *M*
177 Georgius] Gregorius *Q*
179 Euthymius] Euthymius Papias *M* (*latter word marked for deletion*)
184 my] mine *M*

this safe defense against any quarreler: that what place soever I cite from any Catholic author, if I have not considered the book itself, I cite him from another Catholic writer; and the like course I hold in the Reformers, so that I shall hardly be condemned of any false citation, except, to make me accessory, they pronounce one of their own friends principal.

A Distribution of this Book into Parts, Distinctions, and Sections.

PREFACE

1 The reason of this discourse.
2 Incitements to charity towards those which do it.
3 Incitements to charity towards the author.
4 Why it is not inconvenient now to handle this.
5 Dissensions among scholars more, and harder to end, than among others.
6 In such perplexities we ought to incline to that side which favors the dead.
7 Why I make it so public.
8 What reader I desire to have.
9 The reasons why there are so many citations.
10 God punisheth that sin most, which occasions most sin in others.

THE FIRST PART

First Distinction

First Section

1 Why we first prove that this sin is not irremissible.

200–211 *M numbers the heads according to the page of each in the text*
201 towards] toward *M*
204 among] amongst *M*
205 among] amongst *M*

Section 2
  1 Three sorts of mistakers of this sin.
Section 3
  1 That all desperation is not heinous, and that self-homicide doth not always proceed from desperation.
  2 It may be without infidelity.
  3 When it is *poena peccati,* it is *involuntarium.*
  4 The reason why men ordinarily aggravate desperation.
  5 Of the second opinion, which is of impenitibleness.
  6 Of Calvin's opinion that it may be.
  7 None impeccable, nor impenitible.
Section 4
  1 Of the third sort, which presume actual impenitence by reason of this act.
  2 Which is the safer side in doubtful cases.
  3 *In articulo mortis,* the church ever interprets favorably.
  4 What true repentance is, by Clement.
  5 Witnesses which acquit more credited than they which accuse, in the Canon Law.
Section 5
  1 Why we waive the ordinary definition of sin, taken from St. Augustine, and follow another, taken from Aquinas.
  2 Of the torturing practice of casuists.
  3 Of the eternal law of God in St. Augustine's definition, against which a man may do without sin.
  4 Of the definition which we follow.
Section 6
  1 How law of nature and of reason and of God, exhibited in this definition, are all one; and how diversely accepted.
  2 In some cases, all these three laws may be broken at once, as:
  3 In revealing a secret;
  4 In parricide.
Section 7
  1 Of the law of nature; and that against it, strictly taken, either no sin or all sin is done.
  2 To do against nature makes us not guilty of a greater sin, but more inexcusable.
  3 No action so evil that it is never good.

4 No evil in act but disobedience.

5 Lying naturally worse than self-homicide.

6 Fame may be neglected, yet we are as much bound to preserve fame as life.

7 God cannot command a sin, yet he can command a murder.

8 Original sin, cause of all sin, is from nature.

Section 8

1 That if our adversaries by "law of nature" mean only sensitive nature, they say nothing, for so, most virtuous actions are against nature.

Section 9

1 As the law of nature is *recta ratio,* it is *ius gentium*; so immolation and idolatry are not against law of nature.

Section 10

1 As reason is the form, and so the nature, of a man, every sin is against nature, yea, whatsoever agrees not exactly with Christian religion.

2 Virtue, produced to act, differs so from reason as a medicine, made and applied, from a box of drugs.

Distinction II

Section 1

1 Sins against nature in a particular sense are by schoolmen said to be unnatural lusts and this; but in Scripture, only the first is so called.

2 Of the example of the Levite, in the *Judges,* where the Vulgate edition calls it sin against nature.

3 St. Paul's use of that phrase "law of nature" in long hair.

4 Vegetius' use of that phrase.

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262 Original] Orginall *Q*
268 1] 2 *M* it] that *Q*
271 1] 3 *M*
272 agrees] agreeth *M*
274 2] 4 *M*

Section 2

1 Self-preservation is not so of particular law of nature, but that beasts naturally transgress it, whom it binds more than us; and we, when the reason of it ceases in us, may transgress it and sometimes must.

2 Things natural to the species are not always so to the individual.

3 Thereupon, some may retire into solitude.

4 The first principles in natural law are obligatory, but not deductions from thence; and the lower we descend, the weaker they are.

5 Pelicans and, by St. Ambrose, bees kill themselves.

6 The reason of almost every law is mutable.

7 He that can declare where the reason ceases may dispense with the law.

8 In what manner dispensations work.

9 As nothing can annul the prerogatives of princes or of popes, though their own act seem to provide against it, so no law so much destroys man's liberty, but that he returns to it when the reason of that law ceases.

10 Self-preservation, which is but an appetition of that which is good in our opinion, is not violated by self-homicide.

11 Liberty, which is naturally to be preserved, may be departed withal when our will is to do so.

Section 3

1 That cannot be against law of nature which men have ever affected, if it be also, as this is, against sensitive nature and so want the allurements which other sins have.

2 There are not so many examples of all other virtues as are of this one degree of fortitude.

3 Of Roman gladiators; of their great numbers, great persons, and women.

4 With how small persuasions Eleazar, in Josephus, drew men to it.

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311 1] 5 *Q*

5 By the *soldurii* in France it may be gathered that more died so than naturally.
6 Wives in the Indies do it yet.
7 The Samanaei, priests in the Indies, notorious for good life and death, did it.
8 Latinus Pacatus expresseth this desire pathetically.
9 By what means the Spaniards corrected this natural desire in the Indies.

Distinction III

Section 1

1 After civility and Christianity quenched this natural desire, in the place thereof succeeded a thirst of martyrdom.
2 How leisurely the custom of killing at funerals wore out.
3 Philosophers saw and Moses delivered the state of the next life, but unperfectly.

Section 2

1 That martyrdom was by the fathers insinuated into men for the most part by natural reasons, and much upon human respects.
2 So proceeded Clement.
3 So did Tertullian.
4 So did Cyprian.
5 External honors to martyrs.
6 Monopoly of martyrdom.
7 God's punishments upon their persecutors encouraged men to it.
8 Privileges of martyrs extended to many.
9 Contrary reasons cherished this desire in them.
10 *Libellatici,* or compounders with the state, in Cyprian.
11 Flight in persecution condemned by Tertullian.

320–321 *Omit Q M; supplied from Q, sig. G3ᵛ. Remaining heads in the section are renumbered accordingly*

343 honors] hononurs *Q.*

12 Death grew to be held necessary to make one a martyr.
13 In times when they exceeded in indiscreet exposings of themselves, they taught that martyrs might be without death.
14 Professors, in Cyprian, men who offered themselves before they were called.
15 Enforcers of their own martyrdom.
16 Examples of inordinate affecting of martyrdom.
17 Ignatius' solicitation for it.
18 Laws forbidding more executions made to despite Christians.
19 Glory in their number of martyrs.

Section 3

1 That heretics, noting the dignity gained by martyrdom, labored to avert them from it, but could not correct this natural inclination.
2 They labored the magistrate to oppose this desire.
3 Basilides denied Christ to have been crucified; and that therefore they died madly;
4 Helchesaë, that outward profession of religion was not needful, much less martyrdom,
5 Which also the Gnostici taught; and why they prevailed not.

Section 4

1 That heretics, missing their purpose herein, took the natural way of overtaking the orthodox in numbers of martyrs.
2 Petilian's new way of martyrdom.
3 Another new way, of the Circumcelliones, or Circuitores.
4 The Cataphrygae exceeded in number.
5 The Euphemitae, for their numbers of martyrs, called Martyrians.

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359 *Omit Q M; supplied from Q, sig. H4^v. Remaining heads in the section are renumbered accordingly*

370 Helchesaë *Ed.*] Helchesar *Q M*

380 exceeded] exceed *Q*

Section 5

1 Hereupon, councils took it into their care to distinguish martyrs from those who died for natural and human respects.

Section 6

1 Therefore, later authors do somewhat remit the dignity of martyrdom.
2 The Jesuits still profess an enormous love to such death.

Distinction IV

Section 1

1 Laws and customs of well-policed estates having admitted it, it were rash to say it to be against law of nature.
2 True and ideated commonwealths have allowed it.
3 Athenians.
4 Romans.
5 Of *depontani.*
6 Ethiopians.
7 All laws presume this desire in men condemned.
8 In Utopia authorized;
9 And by Plato in certain cases.
10 Conclusion of the First Part.

THE SECOND PART, which is of The Law of Reason

Distinction I

Section 1

1 That the law of reason is conclusions drawn from primary reason, or light of nature, by discourse.
2 How much strength such deduced reasons have.

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385 who] that *M*
393 well-policed] well polłished *Q*
404 which is] *omit Q*

Section 2

1 Of this kind of reasons, general laws have greatest authority,
2 For it is of their essence that they agree with the law of nature,
3 And there is better testimony of their producing than of particular men's opinions.

Section 3

1 Of laws, the Imperial Law ought first to be considered.
2 The reason of that law is not abolished, but the confession of our dependency upon it.
3 Why it is called Civil Law.
4 Of the vastness of the books from whence it is concocted, and of the large extent thereof.
5 That yet, in this so large law, there is nothing against our case.
6 Of the law of Hadrian concerning this in soldiers.
7 Of the other law concerning this in offenders already accused.

Distinction II

Section 1

1 Of the Canon Law.
2 The largeness of the subject and object thereof.
3 Of *Codex canonum,* or "the Body of the Canon Law" in use in the primitive church.
4 Of the additions to this code since.
5 Canon Law apter to condemn than the Civil, and why.

Section 2

1 That this proposition is not heretical by the Canon Law.
2 Simanca his large definition of heresy.
3 No decision of the church in the point,
4 Nor canon,
5 Nor bull.

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436 4 *Ed.*] *omit Q M*
437 5 *Ed.*] 4 *Q M*
443 5] *omit Q*

6 Of the common opinion of fathers; and that that varies by times and by places, by Azorius.

7 Gratian cites but two fathers, whereof one is of our side.

8 That that part of Canon Law to which canonists will stand condemns not this.

9 A Catholic bishop's censure of Gratian and his *Decret.*

Section 3

1 What any councils have done in this point.

2 Of the Council of Antisidore under Gregory I, 590.

3 That it only refused their oblations.

4 That it was but a diocesan council.

5 The Council of Braccara inflicts two punishments.

6 The first, of not praying for them, is meant of them who did it when they were excommunicate.

7 The second, which is denying of burial, is not always inflicted as a punishment to an offender, as appears in a local interdict.

8 Romans buried such offenders as had satisfied the law within the town, as they did vestals and emperors.

Distinction III

Section 1

1 Of the laws of particular nations.

2 Of our law of *Felo de se.*

3 That this is by our law murder; and what reasons entitle the king to his good.

4 That our natural desire to such dying probably induced this customary law,

5 As, in states abounding with slaves, lawmakers quenched this desire lest there should have been no use of them.

6 Forbid lest it should draw too many, as hunting and usury, and as wine by Mahomet.

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444 6] 5 *Q* that that] that *M*

446 of] on *Q*

454 but] only *Q*

459 offender, as] offendor; as appears in a punishment, to an offendor; as *Q*

7 Upon reason of general inclination, we have severe laws against theft.
8 When a man is bound to steal.
9 Scotus his opinion of day-thieves.
10 Of a like law against self-homicide in the Earldom of Flanders.

Section 2

1 Severe laws are arguments of a general inclination, not of a heinousness in the fact.
2 Fasting upon Sundays extremely condemned upon that reason.
3 So duels in France;
4 So bullbaitings in Spain.
5 The heinousness of rape and witchcraft are not diminished where the laws against them were but easy.
6 Public benefit is the rule of extending odious laws and restraining favorable.
7 If other nations concur in like laws, it showeth the inclination to be general.

Section 3

1 The custom of the Jews' not burying till sunset, and of the Athenians' cutting off the dead hand, evict nothing.

Section 4

1 The reasons drawn from remedies used upon some occasions to prevent it prove as little.

Distinction IV

Section 1

1 Of the reasons used by particular men, being divines.
2 Of St. Augustine, and of his argument against Donatus.

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475 inclination] inclinations *Q*
478 Scotus] Sotus *Q*
482–492 *numbers* 1 *through* 7] 11 *through* 17 *M*
488 and] or *Q*
492 showeth] showes *M*
496 nothing] not *Q*
498 reasons] reason *M*

3 Of St. Augustine comparatively with other fathers.
4 Comparison of Navarre and Sotus.
5 Jesuits often beholden to Calvin for his expositions.
6 In this place, we differ not from St. Augustine;
7 Nor in the second cited by Gratian.
8 That there may be *causa puniendi sine culpa.*
9 As Valens the emperor did miss Theodosius, so St. Augustine pretermitted the right cause.
10 Of Cordubensis' rule, how we must behave ourselves in perplexities.
11 How temporal reward may be taken for spiritual offices.
12 Of Pindarus' death, praying for he knew not what.
13 In one place we depart from St. Augustine, upon the same reason as the Jesuit Thyraeus doth depart from him in another.

Section 2

1 The place cited by Gratian out of St. Jerome is of our side.

Section 3

1 Lavater's confession that Augustine, Jerome, Chrysostom, Lactantius are of this opinion.

Section 4

1 Of Peter Martyr's reason, *mors malum.*
2 Clement hath long since destroyed that reason.
3 Of *malum poenae,* how far it may be wished and how far it condemns.
4 Possessed men are not always so afflict for sin.
5 Damnation hath not so much *rationem mali* as the least sin.
6 If death were of the worst sort of evil, yet there might be good use of it, as of concupiscence.
7 In what sense St. Paul calls death God's enemy.
8 Death, since Christ, is not so evil as before.

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506 beholden] beholding *Q*
511 cause *Text in Q, sig. N2*] case *Q M*
516 13] *omit M*
520 of our] on our *Q*
523 Lavater's] Leuaters *M*

Section 5

1 Of Peter Martyr's reason, *vita donum Dei.*

Section 6

1 Of Lavater's reason of judges in all causes.
2 Where confession is not in use, there is no judge of secret sin.
3 Of the pope's jurisdiction over himself.
4 Of such jurisdiction in other persons, by Civil Laws.
5 John XXII elected himself pope.
6 Jurisdiction over ourselves is therefore denied us,
7 Because we are presumed favorable to ourselves not in cases esteemed hurtful.
8 In cases hurtful, we have such jurisdiction.
9 Oath of Gregory in the Great Schism.
10 When a man becomes to be *sui iuris.*
11 War is just between sovereign kings, because they have no judge.
12 Princes give not themselves privileges, but declare that in that case they will exercise their inherent general privilege.

Section 7

1 Josephus' reason of *depositum.*
2 A depositary cannot be accused *de culpa,* but *de dolo.*
3 A secret received *data fide* is *in natura depositi.*

Section 8

1 Of similitudinary reasons in authors not divine.

Section 9

1 Of Josephus his reason of *hostis.*

Section 10

1 Of Josephus' reason of *servus.*

Section 11

1 Of Josephus' reason of a pilot.

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541 Where] When *M*
562 divine] divines *M*
564 reason] Reasons *M*
566 Josephus'] Josephus his *M*

Distinction V

Section 1

1 Of St. Thomas' two reasons, from justice and charity.

2 Of that part of injustice which is stealing himself from the state.

3 Monastic retiring is *in genere rei* the same fault.

4 The better opinion is that there is herein no injustice.

5 Of the other injustice, of usurping upon another's servant.

6 Though we have not *dominium*, we have *usum* of this life, and we may relinquish it when we will.

7 The state is not lord of our life, yet may take it away.

8 If injustice were herein done to the state, then, by a licence from the state, it might be lawful,

9 And the state might recompense her damage upon the goods or heir of the delinquent.

10 In a man necessary to the state, there may be some injustice herein.

11 No man can do injury to himself.

12 The question whether it be against charity respited to the third part.

Section 2

1 Of Aristotle's two reasons, of misery and pusillanimity.

Distinction VI

Section 1

1 Of reasons on the other side.

2 Of the law of Rome, of asking the Senate leave to kill himself.

3 Of the case upon that law in Quintilian.

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576 upon] *omit M*

577 not] no *M*

581 might] may *Q*

583 goods] good *M*

Section 2

1 Comparison of desertion and destruction.

2 Of omissions equal to committings.

Section 3

1 In great faults, the first step imprints a guiltiness, yet many steps to self-homicide are allowable.

2 Draco's laws against homicide were retained for the heinousness of the fault.

3 Tolet's five species of homicide.

4 Four of those were to be found in Adam's first homicide in Paradise.

Section 4

1 Of Tolet's first and second species, by precept, and by advice or option.

2 We may wish *malum poenae* to ourselves, as the eremite prayed to be possessed.

3 That we may wish death for weariness of this life.

4 It is sin to wish the evil were not evil, that then we might wish it.

5 What we may lawfully wish, we may lawfully further.

6 Of wishing the prince's death.

7 In many opinions, by contrary religion, a true king becomes a tyrant.

8 Why an oath of fidelity to the pope binds no man.

9 Who is a tyrant, by the declaration of the learned men of France.

10 How death may be wished, by Calvin's opinion.

11 How we may wish death to another, for our own advantage.

12 Philip Nerius consented that one who wished his own death might have his wish.

Section 5

1 Of Tolet's third species of homicide, by permission, which is *mors negativa*.

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598 Comparison] Comparisons *Q*

601–626 *head numbers* 1 *through* 4 *and* 1 *through* 12] 3 *through* 17 *Q M*

611 eremite] Ermitt *M*

616 *Omit Q M; supplied from Q, sig. P4*

2 Of standing mute at the bar.
3 Three rules, from Sotus, Navarre, and Maldonate, to guide us in these desertions of ourselves.
4 That I may suffer a thief to kill me, rather than kill him.
5 Of *se defendendo* in our law.
6 That I am not bound to escape from prison if I can, nor to eat rather than starve.
7 For ends better than this life, we may neglect this.
8 That I may give my life for another.
9 Chrysostom's opinion of Sarah's lie and her consent to adultery; and St. Augustine's opinion of this and of that wife who prostituted herself to pay her husband's debts.
10 That to give my life for another is not to prefer another before myself, as Bonaventure and Augustine say, but to prefer virtue before life, which is lawful.
11 For spiritual good, it is without question.
12 That I may give another that without which I cannot live.
13 That I may lawfully wear out myself with fasting.
14 That this, in St. Jerome's opinion, is self-homicide.
15 Of the friar whom Cassianus calls a self-homicide for refusing bread from a thief, upon an indiscreet vow.
16 Of Christ's fast.
17 Of philosophers' inordinate fasts.
18 Of the Devil's threatening St. Francis for fasting.
19 Examples of long fasts.
20 Reasons, effects, and obligations to rigorous fastings.
21 Corollary of this section of desertion.

Section 6

1 Of another species of homicide, which is not in Tolet's division, by mutilation.
2 Of delivering one's self into bondage.
3 By diverse canons, homicide and mutilation is the same fault.

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632 Sotus] Scotus *Q*
644 myself] my Life *M*
658 21 *Ed.*] *omit Q M*

4 Of Calvin's argument against divorce, upon this ground of mutilation.
5 The example of St. Mark cutting off his thumb to escape priesthood.
6 In what cases it is clear that a man may maim himself.

Section 7

1 Of Tolet's fourth species of homicide, by actual helping.
2 Ardoynus reckons a flea amongst poisons, because it would destroy.
3 David condemned the Amalekite who said he had helped Saul to kill himself.
4 Mariana the Jesuit is of opinion that a king which may be removed by poison may not be put to take it by his own hands, though ignorantly, for he doth then kill himself.
5 That a malefactor unaccused may accuse himself.
6 Of Sansovin's relation of our custom at executions, and withdrawing the pillow in desperate cases.
7 Of breaking the legs of men at executions, and of breaking the halter.
8 Of the form of purgation used by Moses' Law in cases of jealousy.
9 Of forms of purgation called *vulgares*.
10 Charlemagne brought in a new form of purgation,
11 And Britius, a bishop, being acquitted before, extorted another purgation upon himself.
12 Both kinds of *ordalium*, by water and fire, in use here till King John's time.
13 In all these purgations, and in that by battle, the party himself assisted.
14 Examples of actual helpers to their own destruction in St. Dorotheus' *Doctrines*.
15 Of Joseph of Arimathea his drinking of poison.
16 Of St. Andrew and St. Lawrence.

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681 Sansovin's] Sansonius *M*
685 the] that *M* purgation] purgations *Q*
695 Examples] Exumples *Q*
696 *Doctrines*] doctrine *Q*

17 Casuists not clear whether a condemned man may do the last act to his death;

18 But in cases without condemnation, it is *sub praecepto* to priests, curates, to go to infected houses.

Section 8

1 Of Tolet's last species of homicide, which is the act itself.

2 How far an erring conscience may justify this act.

3 Of Pythagoras' philosophical conscience to die rather than hurt a bean or suffer his scholars to speak.

4 Of the apparition to Hero, a most devout eremite, by which he killed himself, out of Cassianus.

5 That the Devil sometimes solicits to good.

6 That by Vasquez his opinion, it is not idolatry to worship God in the Devil.

7 Rules given to distinguish evil spirits from God are all fallible.

8 Good angels sometimes move to that which is evil, being ordinarily and morally accepted.

9 As in misadoration, by Vasquez, invincible ignorance excuses, so it may in our case.

10 Of St. Augustine's first reason against Donatus, that we may save a man's life against his will.

11 Of his second reason, which is want of examples of the faithful; and of St. Augustine's assured escape if Donatus had produced examples.

12 Divorce in Rome on either part, and in Jewry on the woman's part, long without example.

13 St. Augustine's scholars in this point of examples as stubborn as Aristotle's for the inalterableness of the heavens, though the reason of both be ceased.

14 Of the martyr Apollonia, who killed herself.

15 Of answers in her excuse.

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710 sometimes] sometime *Q*

711 Vasquez his] Vasquez *M*

718 case] cases *Q*

721 reason] reasons *Q*

722 Donatus] Donatists *Q*

726 this point] these poynts *M* examples] example *M* as] a *M*

730 answers] Awnstoers *M*

16 Of the martyr Pelagia, who killed herself.
17 Though her history be very uncertain, yet the church seems glad of any occasion to celebrate such a fact.
18 St. Augustine's testimony of her.
19 St. Ambrose's meditation upon her.
20 Eusebius his oration incitatory, imagined in the person of the mother.
21 St. Augustine, first of any doubting of their fact, sought such shifts to defend it as it needed not.
22 St. Augustine's example hath drawn Pedraza, a Spanish casuist, and many others to that shift of special divine inspiration in such cases;
23 And so says Peter Martyr of the midwives' and of Rahab's lie.
24 To preserve the seal of confession, a man may in some case be bound to do the entire act of killing himself.

THE THIRD PART, which is of The Law of God

Distinction I

Section 1
1 An introduction to the handling of these places of Scripture.
2 Why I forbear to name them who cite these places of Scripture.
3 If any oppose an answer, why I entreat him to avoid bitterness.
4 Why clergymen, which by canons may fish and hunt, yet may not hunt with dogs.
5 Of Beza's answer to Ochin's *Polygamy*.

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732 her] the *M*
738 Augustine] Augustines *Q*, August. *M*
755 him] *omit M*
759 Ochin's] Ochius *Q*

Distinction II

Section 1

1 No place against this self-homicide is produced out of the judicial or ceremonial Law.

Section 2

1 Of the place Genesis ix 5: "I will require your blood."

2 We are not bound to accept the interpretation of the rabbins.

3 Of Lyra and of Emmanuel Sa, both abounding in Hebraisms, yet making no such note upon this place.

Section 3

1 Of the place Deuteronomy xxxii 39: "I kill and I give life."

2 Jurisdiction of parents, husbands, masters, magistrates must consist with this place.

3 This place must be interpreted as the other places of Scripture which have the same words; and from them, being three, no such sense can be extorted.

Section 4

1 Of the place Job vii 1: *"vita militia."*

2 Why they cite this place according to the Vulgate copy.

3 Of soldiers' privileges of absence by law.

4 Job's scope is that, as war works to peace, so here we labor to death.

5 Of Christ's letter to King Abgarus.

Section 5

1 Of another place in Job, vii 15: *"Anima elegit suspendium."*

2 Why it was not lawful to Job to kill himself.

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763 ceremonial] ceremonious *M*
765 blood] bloods *M*
771 xxxii *Ed.*] 33 *Q M*
773 Jurisdiction] Iurisdictions *M*
775 as] by *M*
780 Vulgate] Vulgare *M*
781 of absence] of of absence *M*
782 4] *omit M*
784 5] *omit M*

3 His words seem to show some steps toward a purpose of self-homicide.
4 Of Sextus Senensis' and of Gregory's exposition thereof.
5 How I differ from the Anabaptists, who say that Job despaired.
6 St. Jerome and the Trent Council incur this error of condemning all which a condemned man says.
7 Very holy and learned men impute a more dangerous despair to Christ than I do to Job.

Section 6
1 Of the place Job ii 4: "Skin for skin," etc.

Section 7
1 Of the place Ecclesiasticus xxx 16: "There is no riches above a sound body."
2 This place is not of safety, but of health.

Section 8
1 Of the place Exodus xx: "Thou shalt not kill."
2 St. Augustine thinks this law to concern one's self more directly than another.
3 This law hath many exceptions.
4 Laws of the First Table are *strictioris vinculi* than of the Second.
5 A case wherein it is probable that a man must kill himself: if the person be exemplar.
6 As laws against day-thieves may be deduced from the Law of God authorizing princes, so may this from the commandment of preferring God's glory.
7 Whatsoever might have been done before this law, this law forbids not.

Section 9
1 Of the place Wisdom i 12: "Seek not death."

Distinction III

Section 1
1 Of the place Matthew iv 6: "Cast thyself down."
2 That Christ, when it conduced to His own ends, did as much as the Devil tempted Him to in this place.

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796 7] *omit M*

Section 2

1 Of the place Acts xvi 27: "Do thyself no harm."

2 St. Paul knew God's purpose of baptizing the jailer;

3 For else, saith Calvin, he had frustrated God's way of giving him an escape by the jailer's death.

Section 3

1 Of the place Romans iii 8: "Do not evil for good."

2 In what sense Paul forbids this.

3 God always inflicts *malum poenae* by instruments.

4 Induration itself is sometimes medicinal.

5 We may inflict upon ourselves one disease to remove another.

6 In things evil, in that sense as St. Paul takes the word here, popes daily dispense.

7 So do the Civil Laws.

8 So do the Canons.

9 So doth God occasion less sin to avoid greater.

10 What any other may dispense withal in us, in cases of extremity, we may dispense with it ourselves;

11 Yet no dispensation changes the nature of the thing, and therefore that particular thing was never evil.

12 The Law itself, which measures actions, is neither good nor evil,

13 Which Picus notes well, comparing it to the firmament.

14 What evil St. Paul forbids here, and why.

15 Nothing which is once evil can ever recover of that.

16 These acts were, in God's decree, preserved from those stains of circumstances which make things evil, so as miracles were written in His book of nature (though not in our copy thereof), and so as Our Lady is said to be preserved from original sin.

17 Of that kind was Moses' killing of the Egyptian.

18 If this place of Paul be understood of all evil,

19 Yet it must admit exceptions as well as the Decalogue itself;

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826 27 *Ed.*] 17 *Q M*

828 saith] says *M*

841 sin] sins *Q*

844 changes] changeth *M*

20 Otherwise, that application which Bellarmine and others do make of it will be intolerable.

Section 4

1 Of diverse places which call us "temples of God."

2 The dead are still His temples and images.

3 Heathen temples might be demolished, yet the soil remain sacred.

4 St. Paul's reason holds in cases where we avile our bodies; here we advance them.

5 How we must understand that our body is not our own.

Section 5

1 Of the place Ephesians iv 15: One body with Christ.

2 This place gives arguments to all which spare not themselves for relief of others, and therefore cannot serve the contrary purpose.

Section 6

1 Of the place Ephesians v: "No man hates his own flesh."

2 How Marlorate expounds this hate.

Distinction IV

Section 1

1 Of the places of Scripture on the other part.

2 We may, but our adversaries may not, make use of examples; to which the answer of Martyr and Lavater is weak.

3 The nature, degrees, and effects of charity.

4 St. Augustine's description of her; of her highest perfection, beyond that which Lombard observed out of Augustine.

5 He who loves God with all his heart may love Him more.

6 Any suffering in charity hath infallibly the grace of God, by Aquinas.

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865 remain] remained *Q*

869 5] *omit M*

872 gives] give *M*

880 the places] places *M*

889 6] *omit M*

Section 2

1 Of the place I Corinthians xiii 3: "Though I give my body."
2 By this it was, in common reputation, a high degree of perfection to die so, and charity made it acceptable.
3 St. Paul speaks of a thing which might lawfully be done, for such are all his gradations in this argument.
4 Tongues of angels: in what sense in this place.
5 Speech in the ass, understandings of prophecies in Judas, or miraculous faith make not the possessor the better.
6 How I differ from the Donatists' arguing from this place that, in charity, their self-homicides were always lawful.
7 To give my body is more than to let it be taken.
8 How Nicephorus the martyr gave his body in Sapritius his room, who recanted.
9 There may be some case that a man who is bound to give his body cannot do it otherwise than by self-homicide.

Section 3

1 Of the places John x 11 and John xv 13: The Good Shepherd.
2 That a man is not bound to purge himself if another's crime be imputed to him.

Section 4

1 Of the place John xiii 37: "I will lay down my life."
2 Peter's readiness was natural, Paul's deliberate.

Section 5

1 Of the place John x 15: Of Christ's example.
2 Why Christ spoke this in the present time.
3 Of the abundant charity of Christ.
4 Of His speech, going to Emmaus.
5 Of His apparition to St. Charles.
6 Of the revelation to St. Bridget.
7 Of His mother's charity.
8 That none could take away Christ's soul.

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892 3 *Ed.*] 4 *Q M*
903 be] to be *M*
904 Sapritius] Sapritus *M*
909 places *Text in Q, sig. 2A2*] place *Q M*

9 His own will the only cause of His dying so soon, by St. Augustine,
10 And by Aquinas, because He had still all His strength,
11 And by Marlorate, because He bowed His head and it fell not, as ours do in death.
12 In what sense it is true that the Jews put Him to death.
13 Of Aquinas' opinion, and of Sylvester's opinion of Aquinas.
14 Christ was so the cause of His death as he is of his wetting which might, and doth not, shut the window when it rains.
15 Who imitated Christ in this actual emission of the soul.
16 Upon what reasons this manner of dying in Christ is called heroic and by like epithets.
17 Christ is said to have done herein as Saul, Apollonia, and such.

Section 6
1 Of the places John xii 25, Luke xiv 26: Of hating this life.
2 Jesuits apply particularly this hate.
3 If the place in the Ephesians, "No man hateth his flesh," be against self-homicide, this place must, by the same reason, be for it.
4 St. Augustine denying that this place justifies the Donatists excludes not all cases.

Section 7
1 Of the place I John iii 16: "We ought to lay down our lives," etc.
2 All these places direct us to do it so as Christ did it, unconstrained.

Section 8
1 Of the place Philippians i 23: "*Cupio dissolvi.*"
2 Of St. Paul's gradations to this wish, and of his correcting of it.

Section 9
1 Of the place Galatians iv 15: "You would have plucked out your own eyes."

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939 Apollonia] and Apollonia *Q* (*M deleted* and)
950 1] *omit Q*

2 This was more than *vitam profundere,* by Calvin.
Section 10
1 Of the place Romans ix 3: "*Anathema.*"
2 That he wished herein damnation.
3 That he considered not his election at that time.
Section 11
1 Of the place Exodus xxxii 32: "*Dele me de libro.*"
2 That this imprecation was not only to be blotted out of the history of the Scripture, as some say.
3 It was stranger that Christ should admit that which might seem a slip downward when He wished an escape from death, than that Moses should have such an exaltation upward as to save his nation by perishing, yet both without inordinateness.
4 How, by Paulinus, a just man may safely say to God, "*Dele me.*"

Distinction V

Section 1
1 Of examples in Scripture.
2 The phrase of Scripture never imputes this act to any as a sin when it relates the history.
3 Irenaeus forbids man to accuse where God doth not.
4 Beza his answer to Ochin's reason, that some patriarchs lived in polygamy, reaches not home to our case,
5 For it is not evident by any other place of Scripture that this is sin, and here many examples concur.
Section 2
1 Examples of acts which were not fully self-homicides, but approaches.

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967 1] *omit Q*
970 3] *omit M*
971 downward] downwards *M*
973 upward] vpwards *M* -
975 4] *omit M* safely] *omit M*
983 Beza his] Bezaes *M* Ochin's] Ochius *Q*
985 5] *omit M*

2 Of the prophet who punished him that would not strike him.

3 That when God doth especially invite men to such violence, He says so plainly; and therefore, such particular invitations may not be presumed where they are not expressed.

Section 3

1 Of Jonas.

2 Why St. Jerome calls only Jonas, of all the prophets, "holy."

Section 4

1 Of Samson.

2 The church celebrates him as a martyr.

3 Paulinus wishes such a death as Samson's.

4 They which deny that he meant to kill himself are confuted by the text.

5 They which say he intended not his own death principally say the same as we do.

6 That St. Augustine's answer to this fact, that it was by special instinct, hath no ground in the history.

7 Of Sayre his reason in confirmation of Augustine, that Samson prayed.

8 Of Pedraza his reason, that it was therefore the work of God because God effected it so as it was desired.

9 That he had as much reason, and as much authority, to kill himself as to kill the Philistims; and that was only the glory of God.

10 That in this manner of dying, he was a type of Christ.

Section 5

1 Of Saul.

2 Whether the Amalekite did help to kill Saul; whether Saul be saved or no.

3 In what cases the Jews and Lyra confess that a man may kill himself.

4 Lyra's reasons why Saul is to be presumed to have died well.

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992 3] *omit M*

1003 wishes] wisheth *M*

5 Burgensis' reason to the contrary, that if Saul were excusable, the Amalekite was so too, is of no force.
6 Of Saul's armor-bearer.

Section 6

1 Of Achitophel.
2 He set his house in order, and he was buried.

Section 7

1 Of Judas.
2 He died not by hanging, in the opinion of Euthymius, Oecumenius, Papias (St. John's disciple), and Theophylact.
3 By what means many places of Scripture have been generally otherwise accepted than the text enforceth.
4 Judas not accused of this in the story, nor in the two prophetical Psalms of him.
5 Origen's opinion of his repentance.
6 Calvin acknowledgeth all degrees of repentance which the Roman Church requires to salvation to have been in Judas.
7 Petilian's opinion that Judas was a martyr.
8 His act had some degrees of justice, by St. Augustine.

Section 8

1 Of Eleazar.
2 All confess that it was an act of virtue.
3 His destruction was certain to him.
4 He did as much to his own death as Samson.
5 The reasons of this act alleged in the text are moral.
6 St. Ambrose extols this by many concurrences.
7 Cajetan's reason for justification thereof is appliable to very many other cases of self-homicide.

Section 9

1 Of Razis.
2 His reasons in the text moral.
3 Whether it be pusillanimity, as Aristotle, Augustine, and Aquinas urge.

1028 6] 5 *Q*
1049 that] *omit M*

4 St. Augustine confesseth that in Cleombrotus it was greatness of mind.
5 How much great examples govern.
6 That it was reputed cowardliness in Antisthenes, being extremely sick, not to kill himself.
7 Upon what reasons Lyra excuses this and like actions.
8 Burgensis his reason confesseth that there might have been just causes for this act.

CONCLUSION

1 Why I refrained discourse of destiny herein.
2 Man made of shadow and the Devil of fire, by the Alcoran.
3 Our adversaries' reasons contradict one another.
4 No precept given of loving ourselves.
5 Encouragements to contempt of death.
6 Why I abstain from particular directions.
7 Laws forbid ordinary men to cure by extraordinary means, yet kings of England, France, and Spain do it.
8 As Jerome, Origen, Chrysostom, and Cassianus are excused for following Plato in toleration of a lie because the church had not then pronounced, so may it be in this.

1066 reasons] Reason *M*
1067 8] *omit M*
1074 Encouragements] Encouragmens *Q*

THE PREFACE
declaring the reasons, the purpose, the way, and the end of the Author.

Beza, a man as eminent and illustrious in the full glory and noon of learning as others were in the dawning and morning, when any the least sparkle was notorious, confesseth of himself that only for the anguish of a scurf which overran his head, he had once drowned himself from the Millers' bridge in Paris, if his uncle by chance had not then come that way.[1] I have often such a sickly inclination; and whether it be because I had my first breeding and conversation with men of a suppressed and afflicted religion, accustomed to the despite of death and hungry of an imagined martyrdom, or that the common enemy find that door worst locked against him in me, or that there be a perplexity and flexibility in the doctrine itself, or because my conscience ever assures me that no rebellious grudging at God's gifts, nor other sinful concurrence, accompanies these thoughts in me, or that a brave scorn, or that a faint cowardliness beget it, whensoever any affliction assails me, methinks I have the keys of my prison in mine own hand, and no remedy presents itself so soon to my heart as mine own sword.

Often meditation of this hath won me to a charitable interpretation of their action who die so, and provoked me a little to watch and exagitate their reasons which pronounce so

[1] *Epistola ante Confessionem.*

1083 the end] *omit M*
1085 full] *omit M*
1100 any] my *M*

peremptory judgments upon them. A devout and godly man hath guided us well, and rectified our uncharitableness in such cases, by this remembrance, *Scis lapsum*, etc.: Thou knowest this man's fall, but thou knowest not his wrestling, which perchance was such that almost his very fall is justified and accepted of God.[2] For to this end, saith one, God hath appointed us temptations, that we might have some excuses for our sins when he calls us to account.[3]

An uncharitable misinterpreter unthriftily demolishes his own house and repairs not another; he loseth without any gain or profit to any. And as Tertullian, comparing and making equal him which provokes another and him who will be provoked by another, says, there is no difference but that the provoker offended first, and that is nothing, because in evil there is no respect of order or priority.[4] So we may soon become as ill as any offender if we offend in a severe increpation of the fact, for Climacus, in his *Ladder of Paradise,* places these two steps very near one another when he says, though in the world it were possible for thee to escape all defiling by actual sin, yet by judging and condemning those who are defiled, thou art defiled.[5] In this thou art defiled, as Basil notes, that in comparing others' sins, thou canst not avoid excusing thine own.[6] Especially this is done if thy zeal be too fervent in the reprehension of others; for, as in most other accidents, so in this also: sin hath the nature of poison, that it enters easiliest and works fastest upon choleric constitutions.[7] It is good counsel of the Pharisees styled, *Ne iudices proximum donec ad eius locum pertingas.*[8] Feel and wrestle with such temptations, as he hath done, and thy zeal will be tamer. For therefore, saith the

[2] B. Dorotheus, *Doctrina* 6.

[3] Bosquierus, *Monomachia,* concio 2.

[4] *Liber de patientia.*

[5] *Scala paradisiae,* gradus 3.

[6] In *Quaestionibus fusè disputatis,* ad q. 6.

[7] Forestus, *De venenis,* notae in observationes, 2.

[8] Serarius, *Trihaeresium,* lib. 2, cap. 17.

1112 excuses] excuse *M*
1127 sins] *omit M*
1130 easiliest] easiest *Q*
n.3 *Monomachia*] *omit Q*

Apostle, it became Christ to be like us, that he might be merciful.[9]

If, therefore, after a Christian protestation of an innocent purpose herein, and after a submission of all which is said not only to every Christian church, but to every Christian man, and after an entreaty that the reader will follow this advice of Tabaeus, *Qui litigant, sint ambo in conspectu tuo mali et rei,*[10] and trust neither me nor the adverse part, but the reasons, there be any scandal in this enterprise of mine, it is taken, not given. And though I know that the malicious, prejudged man and the lazy affecters of ignorance will use the same calumnies and obtrectations toward me (for the voice and sound of the snake and goose is all one), yet because I thought that, as in the pool of Bethsaida there was no health till the water was troubled,[11] so the best way to find the truth in this matter was to debate and vex it—for we must as well dispute *de veritate* as *pro veritate*[12]—I abstained not for fear of misinterpretation from this undertaking. Our stomachs are not now so tender and queasy after so long feeding upon solid divinity, nor we so umbrageous and startling, having been so long enlightened in God's path, that we should think any truth strange to us, or relapse into that childish age in which a council in France forbade Aristotle's *Metaphysics* and punished with excommunication the exscribing, reading, or having that book.[13]

Contemplative and bookish men must of necessity be more quarrelsome than others, because they contend not about matter of fact, nor can determine their controversies by any certain witnesses nor judges. But as long as they go towards peace, that is, truth, it is no matter which way. The tutelar angels resisted one another in Persia, but neither resisted God's revealed pur-

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[9] Hebrews 2:17.

[10] Serarius, *Trihaeresium,* lib. 2, cap. 17.

[11] Ioannes 5:2.

[12] Athenagoras, *De resurrectione.*

[13] Filesacus, *De auctoritate episcoporum,* cap. 1, §7.

1146 toward] towards *M*
1152 now] *omit M*
1154 having] haue *M*
1155 path] pathes *M*

pose.[14] Jerome and Gregory seem to be of opinion that Solomon is damned; Ambrose and Augustine, that he is saved[15]—all fathers, all zealous of God's glory. At the same time when the Roman Church canonized Becket, the schools of Paris disputed whether he could be saved[16]—both Catholic judges, and of reverend authority. And after so many ages of a devout and religious celebrating the memory of Saint Jerome, Causaeus hath spoken so dangerously that, Campian says, he pronounces him to be as deep in hell as the devil.[17] But in all such intricacies, where both opinions seem equally to conduce to the honor of God, His justice being as much advanced in the one as His mercy in the other, it seems reasonable to me that this turn the scales: if on either side there appear charity towards the poor soul departed. The church in her hymns and antiphons doth often salute the nails and cross with epithets of sweetness and thanks, but the spear which pierced Christ when He was dead it ever calls *dirum mucronem*.[18]

This piety, I protest again, urges me in this discourse, and what infirmity soever my reasons may have, yet I have comfort in Trismegistus' axiom, *Qui pius est, summe philosophatur.*[19] And therefore, without any disguising, or curious and libellous concealing, I present and object it to all of candor and indifferency, to escape that just taxation: *Novum malitiae genus est et intemperantis, scribere quod occultes.*[20] For, as when Ladislaus took occasion of the Great Schism to corrupt the nobility in Rome and hoped thereby to possess the town, to their seven governors whom they called *sapientes* they added three more whom they called *bonos,* and confided in them,[21] so do I wish (and, as much as I can, effect) that to those many

[14] Daniel 10.

[15] Humfredus, *Iesuitismi pars 2,* ad rationem 5.

[16] Eiusdem, *Pars 1,* Praefatio ad comitem Leicestrensis.

[17] [Pars 2,] ratio 5.

[18] Notae Mallonii in Palaeoti *Sindone,* pars 1, cap. 20.

[19] *De pietate et philosophia.*

[20] Hieronymus, *Apologia adversus Ruffinum.*

[21] Theodoricus à Niem, lib. 2, cap. 37.

1171 Causaeus] Casaeus *M*
1172 pronounces] pronounceth *M*

learned and subtle men which have travailed in this point, some charitable and compassionate men might be added.

If, therefore, of readers, which Gorionides observes to be of four sorts—sponges, which attract all without distinguishing; hourglasses, which receive and pour out as fast; bags, which retain only the dregs of the spices and let the wine escape; and sieves, which retain the best only[22]—I find some of the last sort, I doubt not but they may be hereby enlightened. And as the eyes of Eve were opened by the taste of the apple, though it be said, before that she saw the beauty of the tree,[23] so the digesting of this may, though not present fair objects, yet bring them to see the nakedness and deformity of their own reasons, founded upon a rigorous suspicion, and win them to be of that temper which Chrysostom commends: He which suspects benignly would fain be deceived and be overcome, and is piously glad when he finds it to be false which he did uncharitably suspect.[24] And it may have as much vigor (as one observes of another author) as the sun in March: it may stir and dissolve humors, though not expel them, for that must be a work of a stronger power.[25]

Every branch which is excerpted from other authors and engrafted here is not written for the reader's faith, but for illustration and comparison. Because I undertook the declaration of such a proposition as was controverted by many, and therefore was drawn to the citation of many authorities, I was willing to go all the way with company, and to take light from others, as well in the journey as at the journey's end. If, therefore, in multiplicity of not necessary citations there appear vanity, or ostentation, or digression, my honesty must make my excuse and compensation, who acknowledge as Pliny doth, that to choose rather to be taken in a theft than to give every man his

[22] *Tessarides,* 6.

[23] Genesis 3:6 et 7.

[24] *Homilia de S. Susanna.*

[25] Steuchus, *De Valla, de donatione Constantini.*

1194 travailed] travelled *Q*

1224 his] *omit Q*

due is *obnoxii animi et infelicis ingenii.*[26] I did it the rather because scholastic and artificial men use this way of instructing, and I made account that I was to deal with such, because I presume that natural men are at least enough inclinable of themselves to this doctrine.

This is my way; and my end is to remove scandal. For certainly, God often punisheth a sinner much more severely because others have taken occasion of sinning by his fact. If, therefore, we did correct in ourselves this easiness of being scandalized, how much easier and lighter might we make the punishment of many transgressors? For God, in His judgments, hath almost made us His assistants and counsellors how far He shall punish, and our interpretation of another's sin doth often give the measure to God's justice or mercy.

If, therefore, since disorderly long hair, which was pride and wantonness in Absolon and squalor and horridness in Nebuchadnezzar, was virtue and strength in Samson and sanctification in Samuel,[27] these severe men will not allow to indifferent things the best construction they are capable of, nor pardon my inclination to do so, they shall pardon me this opinion, that their severity proceeds from a self-guiltiness, and give me leave to apply them that of Ennodius, that it is the nature of stiff wickedness to think that of others which themselves deserve; and it is all the comfort which the guilty have, not to find any innocent.[28]

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[26] *Epistola Tito Vespasiani.*

[27] Paulinus, *Epistola* 4, Severo.

[28] *Epistola ad Astyrium.*

1225 *obnoxii*] *obnixii M* it] *omit M*
1230 is my] my *Q*
1235 judgments] iudgement *M*
1244 me] *omit Q*
1246 them] *omit Q*

THE FIRST PART
Of Law and Nature

Distinction I

(1) As lawyers use to call that impossible which is so difficult that, by the rules of law, it cannot be afforded but by the indulgence of the prince and exercise of his prerogative,[1] so divines are accustomed to call that sin which for the most part is so, and which naturally occasions and accompanies sin. Of such condition is this self-homicide, which to be sin everybody hath so sucked, and digested, and incorporated into the body of his faith and religion, that now they prescribe against any opposer; and all discourse in this point is upon the degrees of this sin, and how far it exceeds all other, so that none brings the metal now to the test, nor touch, but only to the balance. Therefore, although whatsoever is in our appetite good or bad was first in our understanding true or false, and therefore, if we might proceed orderly, our first disquisition should be employed upon the first source and origin, which is whether this opinion be true or false; yet, finding ourselves under the iniquity and burden of this custom and prescription, we must obey the necessity, and preposterously examine: first, why this fact should be so resolutely condemned, and why there should be this precipitation in our judgment to pronounce this, above all other sins, irremissible; and then, having removed that which was nearest us, and delivered ourselves from the tyranny of this prejudice, our judgment may be brought nearer to a straightness, and our

[1] Palaeotus, *De nothis*, cap. 28.

1264 appetite] vnderstanding *M originally; corrected by Donne* charity awakened and entendered to apprehend that this act may be free, not only from those enormous degrees of sin, but from all.

(2) They who pronounce this sin to be so necessarily damnable are of one of these three persuasions. Either they misaffirm that this act always proceeds from desperation, and so they load it with all those comminations with which (from Scriptures, fathers, histories) that commonplace abounds; or else they entertain that dangerous opinion that there is in this life an impenitibleness and impossibility of returning to God, and that apparent to us (for else it could not justify our uncharitable censure); or else they build upon this foundation, that this act, being presumed to be sin, and all sin unpardonable without repentance, this is therefore unpardonable, because the very sin doth preclude all ordinary ways of repentance.

(3) To those of the first sect, if I might be as vainly subtle as they are uncharitably severe, I should answer that all desperation is not sinful. For in the Devil it is not sin, nor doth he demerit by it, because he is not commanded to hope. Nor, in a man which undertook an austere and disciplinary taming of his body by fasts or corrections, were it sinful to despair that God would take from him *stimulum carnis*. Nor, in a priest employed to convert infidels, were it sinful to despair that God would give him the power of miracles. If, therefore, to quench and extinguish this *stimulum carnis*, a man should kill himself, the effect and fruit of this desperation were evil, and yet the root itself not necessarily so.

No detestation nor dehortation against this sin of desperation (when it is a sin) can be too earnest. But yet since it may be without infidelity,[2] it cannot be greater than that. And though Aquinas there calls it sin truly, yet he says he doth so because it occasions many sins. And if it be, as others affirm, *poena*

[2] Thomas, 2a2ae, q. 20, a. 2.

1306 calls] call *M*
n.2 20 *Ed.*] 2 *Q M*

peccati, it is then *involuntarium*,[3] which will hardly consist with the nature of sin. Certainly, though many devout men have justly imputed to it the cause and effect of sin, yet, as in the *Penitential Canons* greater penance is inflicted upon one who kills his wife than one who kills his mother (and the reason added, not that the fault is greater, but that otherwise more would commit it),[4] so is the sin of desperation so earnestly aggravated, because, springing from sloth and pusillanimity, our nature is more slippery and inclinable to such a descent than to presumptions, which yet without doubt do more wound and violate the majesty of God than desperation doth.

But, howsoever, that none may justly say that all which kill themselves have done it out of a despair of God's mercy—which is the only sinful despair—we shall in a more proper place, when we come to consider the examples exhibited in Scriptures and other histories, find many who, at that act, have been so far from despair that they have esteemed it a great degree of God's mercy to have been admitted to such a glorifying of His name, and have proceeded therein as religiously as in a sacrifice, and as one says elegantly of Job, *venere in gloriosa proverbia*,[5] and of whom we may properly say that which Moses said when they punished upon one another their idolatry, *Consecrastis manus vestras Domino*.[6]

When I come to consider their words who are of the second opinion, and which allow an impenitibleness in this life (of which Calvin is a strong authorizer, if not an author, who says that actual impenitence is not the sin intimated in Matthew 12:30 and 31, but it is a willing resisting of the Holy Ghost, into which whosoever falls, *tenendum est*, saith he, we must hold that he never riseth again), because these hard and misinter-

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[3] Pererius in *Exodum*, cap. 11, disp. 4.

[4] Canon 17.

[5] Bosquierus, *Monomachia*, concio 2.

[6] Exodus 32:29.

1319 all] *omit M*
1321 a] *omit M*
1323 that act] the act *M*
1327 *venere*] *venire M*
n.3 in] *omit Q*
n.5 *Monomachia*] *omit Q*

pretable words fall from them when they are perplexed and intricated with that heavy question of sin against the Holy Ghost, and because I presume them to speak proportionally and analogally to their other doctrine, I rather incline to afford them this construction, that they place this impenitibleness only in the knowledge of God (or that I understand them not), than either believe them literally or believe that they have clearly expressed their own meanings. For I see not why we should be loather to allow that God hath made some impeccable than impenitible. Neither do I perceive that, if they had their purpose and this were granted to them, that therefore such an impenitibleness must of necessity be concluded to have been in this person, by reason of this act.

(4) But the third sort is the tamest of all the three, and gives greatest hope of being reduced and rectified. For though they pronounce severely upon the fact, yet it is only upon one reason, that the fact precludes all entrance to repentance. Wherein I wonder why they should refuse to apply their opinions to the milder rules of the casuists, which ever in doubtful cases teach an inclination to the safer side.[7] And though it be safer to think a thing to be sin than not, yet that rule serves for your own information, and for a bridle to you, not for another's condemnation.

They use to interpret that rule of taking the safer side that, in things necessary (*necessitate finis,* as repentance is to salvation), we must follow any probable opinion, though another be more probable, and that directly that opinion is to be followed *quae favet animae,* which they exemplify thus: that, though all doctors hold that baptism of a child not yet thoroughly born in the hand or foot to be ineffectual, yet all doctors counsel to baptize in that case, and to believe of good effect.[8] And the example of the good thief informs us that

[7] Azorius, *Morales institutiones,* pars 1, lib. 2, cap. 16.

[8] Zambranus, *De poenitentia,* dubium 2, n. 39.

1346 some] *omit M*
1363 must] must not *M*
1367 hand or foot] foot or hand *M*

repentance works immediately, and from that history Calvin collects that such pain *in articulo mortis* is naturally apt to beget repentance. Since the church is so indulgent and liberal to her children that at the point of death she will afford her treasure of baptism to one which hath been mad from his birth, by the same reason as to a child,[9] yea, to one fallen lately into madness, though it appear he were in mortal sin, if he have but attrition, which is but a fear of hell and no taste of God's glory (and such attrition shall be presumed to be in him if nothing appear evidently to the contrary);[10] if she be content to extend and interpret this point of death of every danger by sea or travel;[11] if she will interpret any mortal sin in a man provoked by sudden passion and proceeding from indeliberation to be no worse nor of greater malignity than the act of a child;[12] if, being unable to succor one before, she will deliver him from excommunication after he is dead;[13] if she be content that both the penitent and confessor be but *diligentes,* not *diligentissimi;*[14] if, rather than she will be frustrate of her desire to dispense her treasure, she yields that mad and possessed men shall be bound till they may receive extreme unction;[15] if, lastly, she absolve some whether they will or no,[16] why should we abhor our mother's example and, being brethren, be severer than the parent? Not to pray for them which die without faith is a precept so obvious to every religion that even Mahomet hath inhibited it;[17] but to presume impenitence because you were not by, and heard it, is an usurpation.

This is true repentance, saith Clement, to do no more and to speak no more those things whereof you repent, and not to be

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[9] Idem, *De baptismo,* dubium 8, n. 1.
[10] Ibid., n. 2.
[11] Idem, *Praeludium* 1, n. 7.
[12] Idem, *De poenitentia,* dubium 3, n. 2.
[13] Ibidem.
[14] Dubium 7, n. 9.
[15] Idem, *De unctione,* dubium 2, n. 3.
[16] Sayre, *Thesaurus casuum conscientiae,* tom. 1, lib. 2, cap. 21, n. 2.
[17] *Alcoranum,* azoara 19.

1372 so] *omit M*
1381 travel] trauayle *M*
1388 yields] yeild *M*
1391 than] then then *M*
n.11 7] 2 *M*

ever sinning and ever asking pardon.[18] Of such a repentance as this, our case is capable enough. And of one who died before he had repented, good Paulinus would charitably interpret his haste, that he chose rather to go to God *debitor quam liber,*[19] and so to die in his debt rather than to carry his acquittance. As, therefore, in matters of fact, the delinquent is so much favored that a layman shall sooner be believed which acquits him, than a clerk which accuseth[20] (though in other cases there be much disproportion between the value of these two testimonies[21]), so if any will of necessity proceed to judgment in our case, those reasons which are most benign, and which, as I said, *favent animae,* ought to have the best acceptation and entertainment.

(5) Of all those definitions of sin which the first rhapsoder, Peter Lombard, hath presented out of ancient learning, as well the summists as casuists do most insist upon that which he brings from St. Augustine, as, commonly, where that father serves their turns, they never go further. This definition is that sin is "*dictum, factum, concupitum contra aeternam legem Dei.*"[22] This they stick to, because this definition, if it be one, best bears their descant, and is the easiest conveyance and carriage and vent for their conceptions, and applying rules of divinity to particular cases, by which they have made all our actions perplexed and litigious *in foro interiori,* which is their tribunal, by which torture they have brought men's consciences to the same reasons of complaint which Pliny attributes to Rome till Trajan's time, that *civitas fundata legibus, legibus evertebatur;*[23] for as informers vexed them with continual delations upon penal laws, so doth this art of sinning entangle wretched consciences in manifold and desperate anxieties.

[18] *Stromata,* lib. 2.

[19] Lib. 3, ad Amandum *Epistola* 1.

[20] Dist. 81, can. *Clerici.*

[21] 12, q. 1, can. *Duo sunt.*

[22] Lib. 2, dist. 35A.

[23] *Panegyricus Traiano.*

1405 accuseth] accuses *M*
1415 *concupitum*] *concupientū M*
1418 conceptions] acceptions *M*
1423 *fundata*] *fundamenta M* *legibus, legibus*] *legibus M*
1425 art] act *Q*
n.21 1] 2 *M*

But for this use, this definition cannot be thought to be appliable to sin only, since it limits it to the eternal law of God (which word, though Lombard have not, Sayre and all the rest retain[24]), for this eternal law is *ratio gubernativa Dei*,[25] which is no other than His eternal decree for the government of the whole world, and that is providence. And certainly, against this—because it is not always revealed—a man may, without sin, both think and speak and do, as I may resist a disease of which God hath decreed I shall die. Yea, though He seem to reveal His will, we may resist it with prayers against it, because it is often conditioned and accompanied with limitations and exceptions. Yea, though God dealt plainly by Nathan—"The child shall surely die"—David resisted God's decree by prayer and penance.[26]

We must therefore seek another definition of sin, which I think is not so well delivered in those words of Aquinas, *Omnis defectus debiti actus habet rationem peccati*,[27] as in his other, *Peccatum est actus devians ab ordine debiti finis, contra regulam naturae, rationis, aut legis aeternae*. For here, *lex aeterna* being put as a member and part of the definition, it cannot admit that vast and large acceptation which it could not escape in the description of St. Augustine, but must in this place be necessarily intended of *lex divina*. Through this definition, therefore, we will trace this act of self-homicide, and see whether it offend any of those three sorts of law.

(6) Of all these three laws, of nature, of reason, and of God, every precept which is permanent and binds always is so composed and elemented and complexioned, that to distinguish and separate them is a chymic work, and either it doth only seem to be done, or is done by the torture and vexation of school-limbecks, which are exquisite and violent distinctions. For that

[24] *Thesaurus casuum conscientiae*, lib. 2, cap. 5.

[25] Thomas, 2a2ae, q. 91, a. 2.

[26] II Samuel 12:14.

[27] 2a2ae, q. 64, a. 1 con.

1428 eternal *Ed.*] externall Q̄ *M*
1447 vast and large] large & vast *M*
1457 exquisite] excellent *M*

part of God's law which binds always bound before it was written, and so it is but *dictamen rectae rationis,* and that is the law of nature. And therefore Isidore, as it is related into the Canons, dividing all law into divine and human, addeth, divine consists of nature, human of custom.[28] Yet though these three be almost all one (because one thing may be commanded diverse ways and by diverse authorities, as the common law, a statute, and a decree of an arbitrary court may bind me to do the same thing), it is necessary that we weigh the obligation of every one of these laws which are in the definition.

But first, I will only mollify and prepare their crude and undigested opinions and prejudice, which may be contracted from the often iteration and specious, but sophisticate inculcatings of law and nature, and reason, and God, with this antidote: that many things which are of natural and human and divine law may be broken, of which sort, to conceal a secret delivered unto you is one.[29] And the honor due to parents is so strictly of all these laws, as none of the Second Table more; yet in a just war a parricide is not guilty, yea, by a law of Venice (though Bodin say it were better the town were sunk than ever there should be any example or precedent therein), a son shall redeem himself from banishment by killing his father, being also banished.[30] And we read of another state (and laws of civil commonwealths may not easily be pronounced to be against nature) where, when fathers came to be of an unprofitable and useless age, the sons must beat them to death with clubs, and of another where all persons of above seventy years were dispatched.[31]

(7) This term "the law of nature" is so variously and unconstantly delivered, as I confess I read it a hundred times before I understand it once, or can conclude it to signify that

[28] Dist. 1, *Omnes.*

[29] Soto, *De tegendo secretum,* memb. 1, q. 2.

[30] *De republica,* lib. 1, cap. 4.

[31] Aelian, lib. 4, cap. 1.

1461 addeth] adds *M*
1463 because] yet because *Q*
1465 do] *omit M*
1470–71 inculcatings] inculcating *M*
1487 a hundred] abundant *M*

which the author should at that time mean. Yet I never found it in any sense which might justify their vociferations upon sins against nature. For the transgressing of the law of nature in any act doth not seem to me to increase the heinousness of that act (as though nature were more obligatory than divine law), but only in this respect it aggravates it, that in such a sin we are inexcusable by any pretence of ignorance, since by the light of nature we might discern it.

Many things which we call sin, and so evil, have been done by the commandment of God: by Abraham, and the Israelites in their departing from Egypt. So that this evil is not in the nature of the thing, nor in the nature of the whole harmony of the world, and therefore in no law of nature, but in violating or omitting a commandment. All is obedience or disobedience. Whereupon our countryman Sayre confesseth that this self-homicide is not so intrinsically ill as to lie;[32] which is also evident by Cajetan, where he affirms that I may not, to save my life, accuse myself upon the rack.[33] And though Cajetan extend no farther herein than that I may not belie myself, yet Soto evicts that Cajetan's reasons, with as much force, forbid any accusation of myself, though it be true.[34] So much easier may I depart with life, than with truth or with fame, by Cajetan. And yet we find that of their fame many holy men have been very negligent, for not only Augustine, Anselm, and Jerome betray themselves by unurged confessions, but St. Ambrose procured certain prostitute women to come into his chamber, that by that he might be defamed and the people thereby abstain from making him bishop.[35]

[32] *Thesaurus casuum conscientiae,* lib. 7, cap. 9, n. 9.

[33] Super 2a2ae, q. 73, a. 2.

[34] *De tegendo secretum,* memb. 1, q. 3.

[35] Soto, ibid.

1489–90 the . . . which] *omit M*
1490 their] these *M*
1492 that] the *M*
1493 than] than the *M*
1500 harmony] har= harmony *M*
1507 farther] furder *M*
n.32 7] 1 *M*
n.33 73] 37 *Q* (*M corrected by Donne*)
n.35 *Omit M*

This intrinsic and natural evil, therefore, will hardly be found. For God, who can command a murder, cannot command an evil or a sin,[36] because, the whole frame and government of the world being His, He may use it as He will, as, though He can do a miracle, He can do nothing against nature, because that is the nature of every thing which He works in it.[37] Hereupon, and upon that other true rule, whatsoever is wrought by a superior agent upon a patient who is naturally subject to that agent is natural,[38] we may safely infer that nothing which we call sin is so against nature, but that it may be sometimes agreeable to nature.

On the other side, "nature" is often taken so widely and so extensively, as all sin is very truly said to be against nature—yea, before it come to be sin. For, St. Augustine says, every vice, as it is a vice, is against nature,[39] and vice is but habit which, being produced to act, is then sin. Yea, the parent of all sin, which is hereditary original sin, which Aquinas calls a languor and faintness in our nature, and an indisposition proceeding from the dissolution of the harmony of original justice,[40] is by him said to be in us *quasi naturale*,[41] and is, as he saith in another place, so natural that it is propagated with our nature, in generation, though it be not caused by the principles of nature,[42] so as, if God would now miraculously frame a man as He did the first woman—of another's flesh and bone, and not by way of generation—into that creature all infirmities of our flesh would

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[36] Thomas, 2a2ae, q. 104, a. 4 ad 2m.

[37] Augustine, *Contra Faustum*, lib. 26, cap. 3.

[38] Thomas, 1a, q. 105, a. 6 ad 1m.

[39] *De libero arbitrio*, lib. 3, cap. 13.

[40] 1a2ae, q. 82, a. 4.

[41] 3a, q. 8, a. 5, ad 1m.

[42] 1a, q. 100, a. 1 ad 3m.

1528 widely] wildly *M*
1531 a] *omit Q*
1536 saith] says *M*
1537 that] that though *Q*
1539 would now] now would *M*
n.39 lib. 3] l. 13 *Q*
n.40 82 *Ed.*] 81 *Q M*
n.41 1m *Ed.*] 7m *Q M*
n.42 3m] 1 *M*

be derived, but not original sin.[43] So that original sin is traduced by nature only, and all actual sin issuing from thence, all sin is natural.

(8) But to make our approaches nearer, let us leave the consideration of the law of nature as it is providence and God's decree for His government of the great world, and contract it only to the law of nature in the less world, ourselves. There is, then, in us a double law of nature, sensitive and rational,[44] and the first doth naturally lead and conduce to the other.[45] But because, by the languor and faintness of our nature, we lazily rest there, and for the most part go no further in our journeys, therefore, out of this ordinary indisposition, Aquinas pronounceth that the inclination of our sensitive nature is against the law of reason. And this is that which the Apostle calls the law of the flesh, and opposeth against the law of the spirit.[46]

Now, although it be possible to sin and transgress against this sensitive nature, which naturally and lawfully is inclined upon *bonum delectabile*,[47] by denying to it lawful refreshings and fomentations, yet I think this is not that law of nature which these abhorrers of self-homicide complain to be violated by that act. For so they might as well accuse all discipline and austerity and affectation of martyrdom, which are as contrary to the law of sensitive nature.

(9) And therefore, by "law of nature," if they will mean anything and speak to be understood, they must intend the law of rational nature, which is that light which God hath afforded us of his eternal law, and which is usually called *recta ratio*. Now this law of nature, as it is only in man, and in him directed upon piety, religion, sociableness, and such (for, as it reacheth

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[43] 1a2ae, q. 81, a. 4.

[44] Thomas, 1a2ae, q. 71, a. 2 con.

[45] Carbo, *Summa casuum conscientiae*, tom. 2, pars 1, [lib. 3,] cap. 5.

[46] Romans 7:23.

[47] Thomas, ibid.

1554 the] *omit M*
1569 it] yet *M*

to the preservation both of species and individuals, there are lively prints of it in beasts), is with most authors confounded and made the same with *ius gentium*. So Azorius;[48] and so Sylvius delivers that the law of nature, as it concerns only reason, is *ius gentium*.[49] And therefore, whatever is *ius gentium* (that is, practiced and accepted in most, especially civilest, nations) is also law of nature, which Artemidorus exemplifies in these two: *deum colere, mulieribus vinci*.[50]

How then shall we accuse idolatry or immolation of men to be sins against nature? For (not to speak of the first, which like a deluge overflowed the whole world, and only Canaan was a little ark swimming upon it, delivered from utter drowning but yet not from storms and leaks and dangerous weatherbeatings) immolation of men was so ordinary that almost every nation, though not barbarous, had received it.[51] The Druids of France made their divinations from sacrifices of men,[52] and in their wars they presaged also after the same fashion.[53] And for our times, it appears by the Spanish relations that in only Hispaniola they sacrificed yearly 20,000 children.[54]

(10) However, since this is received, that the nature of every thing is the form by which it is constituted, and that to do against it is to do against nature;[55] since also, this form in man is reason, and so to commit against reason is to sin against nature, what sin can be exempt from that charge that it is a sin against nature, since every sin is against reason? And in this acceptation

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[48] *Morales institutiones*, pars 1, lib. 5, cap. 1.

[49] *Commentarius ad leges regias*, Praefatio.

[50] *De somniorum significatione*.

[51] Polidorus Vergilius, *De inventoribus rerum*, lib. 5, cap. 8.

[52] Middendorpius, *De academiis*, lib. 6.

[53] Caesar, *Bellum Gallicum*, lib. 6.

[54] Matalius Metellus, *Praefatio ad Osorii historiam*.

[55] 1a2ae, q. 71, a. 2 con.

1574 delivers] deliuer *M*
1575 And . . . *gentium*] *omit M*
1587 presaged] prayed *M originally; corrected by Donne*
1590 However] Howsoeuer *M*
1595 acceptation] acception *M*
n.52 *Q adds* ex Io. Bormo.

Lucidus takes the law of nature, when he says, God hath written in our hearts such a law of nature as, by that, we are saved in the coming of Christ.[56] And so every act which concurs not exactly with our religion shall be sin against nature, which will appear evidently out of Jeremy's words, where God promiseth, as a future blessing, that He will write His laws in their hearts,[57] which is the Christian law. So that the Christian law and the law of nature (for that is the law written in hearts) must be all one. Sin, therefore, against nature is not so enormous, but that that may stand true which Navarre saith, that many laws, both natural and divine, do bind only *ad veniale*.[58]

And so, not disputing at this time whether it be against reason always or no (for reason and virtue differ no otherwise than a close box of drugs, and an emplaster or medicine made from thence and applied to a particular use and necessity; and in the box are not only aromatic simples, but many poisons, which the nature of the disease and the art of the administrer make wholesome), this self-homicide is no more against the law of nature than any other sin, nor in any of the acceptations which we touched before. And this is as much as I determined for this first distinction.

Distinction II

(1) There is a lower and narrower acceptation of this law of nature, which could not well be discerned but by this light and forediscoursing, against which law, this sin and a very few more, seem to be directly bent and opposed. For Azorius says that there are sins peculiarly against nature, which are *contra naturalem usum hominis*, which he exemplifies in unnatural lusts and in

[56] *Epistola multis episcopis.*

[57] [Jeremiah] 31:33.

[58] *Manuale*, cap. 23, n. 51.

1600 a] of a *M*
1605 saith] sayes *M*
1621 to] *omit M*
n.56 *episcopis*] epist. *Q*
n.58 51 *Ed.*] 50 *Q M*

this.[1] And of the former example, Aquinas says that there are some kinds of lusts which are sins against nature, both as they are generally vices and as they are against the natural order of the act of generation.[2] In the Scriptures, also, this sin of misusing the sex is called "against nature" by St. Paul,[3] and once (in the Vulgar edition) in the Old Testament.[4] But as I intimated once before, this sin against nature is so much abhorred, not because the being against nature makes it so abominable, but because the knowledge thereof is so domestic, so near, so inward to us, that our conscience cannot slumber in it, nor dissemble it, as in most other sins it doth.

For in that example of the Levite in the Book of Judges (if those wicked men did seek him for that abominable use, which Josephus says was only for his wife,[5] and when himself relates to the people the history of his injury in the next chapter, he complains that they went about to kill him to enjoy his wife, and of no other kind of injury), though the host which had harbored him dissuade the men thus, *solum non operemini hoc contra naturam,* will any man say that the offer which he made them to extinguish their furious lust, to expose to them his own daughter, a virgin, and the wife of his guest (which Josephus increases by calling her a Levite and his kinswoman), was a less sin than to have given way to their violence, or less against nature because that which they sought was *contra naturalem usum*? Is not every voluntary pollution, *in genere peccati,* as much against the law of nature as this was, since it strays and departs from the way, and defeats the end of that faculty in us which is generation?

The violating, therefore, of the law of nature doth in no acceptation aggravate the sin. Neither doth the Scripture call any other sin than disorderly lust by that name. St. Paul once appeals to the law of nature: when arguing about the covering of heads of men or women at public prayer, he says, "Judge in

[1] *Morales institutiones,* pars 1, lib. 4, cap. 1.

[2] 2a2ae, q. 154, a. 11 con.

[3] Romans 1:26.

[4] Judges 19:24.

[5] *Antiquitates,* lib. 5, cap. 2.

1629 Vulgar] Vulgate *M*

n.3 26 *Ed.*] 20 *Q M*

yourselves," and "Doth not nature teach you that if a man have long hair, it is his shame?"[6] Not that this was against that law of nature to which all men were bound, for it was not always so. For in most places, shavings and cuttings and pullings are by the satirics and epigrammatists of those times reprehended for delicacy and effeminateness. And the Romans, till foreign corruption had envenomed them, were ever called, gloriously, "*intonsi.*" But because, says Calvin, it was at that time received as a custom throughout all Greece to wear short hair, St. Paul calls it "natural."

So Vegetius says that from November to March the seas are shut up and *intractabile lege naturae,*[7] which now are tame and tractable enough, and this also *lege naturae.* And that custom which St. Paul called "natural" in Greece was not long natural there, for the bishops of Rome, when they made their canons for priests' shavings, did it because they would have their priests differ from the priests of the Greek church.[8] So that St. Paul, mentioning the law of nature, argues not from the weight and heinousness of the fault, as our adversaries use, but useth it as the nearest and most familiar and easy way to lead them to a knowledge of decency and a departing from scandalous singularity in those public meetings.

(2) And though Azorius, as I said, and many others make this self-homicide an example of sin against particular law of nature, yet it is only upon this reason, that self-preservation is of natural law. But that natural law is so general that it extends to beasts more than to us, because they cannot compare degrees of obligation and distinctions of duties and offices, as we can. For we know that some things are natural to the species, and other things to the particular person, and that the latter may correct

[6] I Cor. 11:14.

[7] *De re militari,* lib. 4, cap. 39.

[8] Pierius, *De barbis sacerdotum.*

1658 his] a *Q*
1665 wear] were *M*
1667 Vegetius] Vigetius *M*
1668 *intractabile*] intractable *Q*
1674 mentioning] mentioning of *M*

the first.[9] And therefore, when Cicero consulted the oracle at Delphos, he had this answer: "Follow your own nature."[10] And so, certainly, that place "It is not good for the man to be alone"[11] is meant there, because if he were alone, God's purpose of multiplying mankind had been frustrate. Yet, though this be ill for conservation of our species in general, yet it may be very fit for some particular man to abstain from all such conversation of marriage or men, and retire to a solitude. For some may need that counsel of Chrysostom: depart from the high way, and transplant thyself in some enclosed ground, for it is hard for a tree which stands by the wayside to keep her fruit till it be ripe.[12]

Our safest assurance that we be not misled with the ambiguity of the word "natural law" and the perplexed variety thereof in authors, will be this, that all the precepts of natural law result in these: fly evil, seek good, that is, do according to reason.[13] For these, as they are indispensable by any authority, so they cannot be abolished nor obscured, but that our hearts shall ever not only retain, but acknowledge this law.

From these are deduced by consequence other precepts which are not necessary always, as *redde depositum,* for though this seem to follow of the first, "do according to reason," yet it is not always just. And, as Aquinas says, the lower you go towards particulars, the more you depart from the necessity of being bound to it. So Acacius illustrates it more clearly: It is natural, and binds all always, to know there is a God; from this is deduced by necessary consequence that God, if He be, must be worshipped, and after this, by likely consequence, that He must

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[9] Thomas, la2ae, q. 51, a. 1 con.

[10] Fabricius, *Historia Ciceronis,* Anno 30.

[11] Genesis 2:18.

[12] Homilia 36 *Operis imperfecti in Matthaeum.*

[13] Thomas, la2ae, q. 94, a. 2.

1689 the] a *M*
1690 he] *omit M*
1692 conservation] conuersation *M*
1702 as] are *M*
1711 all] *omit M*
n.9 a.1 *Ed.*] a.7 *Q M*
n.10 Anno 30] *omit M*
n.13 94] 95 *M* a.2 *Ed.*] a.4 *Q M*

be worshipped in this or this manner.[14] And so every sect will, a little corruptly and adulterately, call their discipline "natural law" and enjoin a necessary obedience to it. But, though our substance of nature, which is best understood of the foundations and principles and first grounds of natural law, may not be changed, yet *functio naturae,* which is the exercise and application thereof, and deduction from thence, may and must.[15]

The like danger is in deducing consequences from this natural law of self-preservation, which doth not so rigorously and urgently and illimitedly bind, but that, by the law of nature itself, things may—yea, must—neglect themselves for others, of which the pelican is an instance or an emblem. And St. Ambrose, philosophying divinely in a contemplation of bees, after he hath afforded them many other praises, says that when they find themselves guilty of having broken any of their king's laws, *poenitenti condemnatione se mulctant, ut immoriantur aculei sui vulnere,* which magnanimity and justice he compares there with the subjects of the kings of Persia, who in like cases are their own executioners.[16] As this natural instinct in beasts, so rectified reason, belonging only to us, instructs us often to prefer public and necessary persons, by exposing ourselves to unevitable destruction.

No law is so primary and simple, but it foreimagines a reason upon which it was founded; and scarce any reason is so constant, but that circumstances alter it, in which case a private man is emperor of himself, for so a devout man interprets those words "*Faciamus hominem ad imaginem nostram*": *id est, sui iuris.*[17] And he whose conscience, well-tempered and dispassioned, assures him that the reason of self-preservation ceases in him, may also presume that the law ceases too, and may do that then which otherwise were against that law.

[14] *De privilegiis iuris,* lib. 1, cap. 8.

[15] Sylvius, *Commentarius ad leges regias,* Praefatio, cap. 1.

[16] *Hexaemeron,* lib. 5, cap. 21.

[17] B. Dorotheus, *Doctrina* 12.

1723 and urgently] urgently *M* illimitedly] illimitably *M*
1724 for] from *M*
1725 or an] or *M*
1740 *nostram*] *nostrum Q*
n.16 21 *Ed.*] 1 *Q*, 5 *M*

And therefore, if it be true that it belongs to the bishop of Rome "to declare, interpret, limit, distinguish the law of God," as their doctors teach, "which is to declare when the reason of the law ceases,"[18] it may be as true, which this author and the Canons affirm,[19] that he may dispense with that law; for he doth no more than any man might do of himself if he could judge as infallibly. Let it be true that no man may at any time do anything against the law of nature, yet, as a dispensation works not thus, that I may by it disobey a law, but that that law becomes to me no law in that case where the reason ceases,[20] so may any man be the bishop and magistrate to himself, and dispense with his conscience, where it can appear that the reason which is the soul and form of the law is ceased. Because, as in oaths and vows,[21] so in the law, the necessity of dispensations proceeds from this: that a thing which, universally considered, in itself is profitable and honest, by reason of some particular event becomes either dishonest or hurtful, neither of which can fall within the reach or under the commandment of any law. And in these exempt and privileged cases, the privilege is not *contra ius universale,* but *contra universalitatem iuris.*[22] It doth only succor a person, not wound nor infirm a law—no more than I take from the virtue of light or dignity of the sun if, to escape the scorching thereof, I allow myself the relief of a shadow.

And, as neither the watchfulness of parliaments, nor the descents and indulgences of princes which have consented to laws derogatory to themselves, have been able to prejudice the

[18] Windeck, *De canonum et legum consensu et dissensu*, cap. 12.

[19] 25, q. 1, *Sunt quidam.*

[20] Thomas, 2a2ae, q. 88, a. 10.

[21] Thomas, 2a2ae, q. 89, a. 9.

[22] Acacius, *De privilegiis*, lib. 1, cap. 3.

1750 any] a *M*
1751 as] a *M*
1754 where] *omit M*
1757 which is] which *M*
1759 proceeds] proceed *M*
1764 *universalitatem*] *universalitem Q*
1769 of] of our *M*
1770 of] of of our *M* (*first* of *marked for deletion*)
n.18 *De*] *omit Q*

prince's *non obstantes,* because prerogative is incomprehensible and overflows and transcends all law; and as those canons which boldly (and, as some schoolmen say, blasphemously) say *non licebit papae* diminish not his fullness of power nor impeach his *motus propriores* (as they call them) nor his *non obstante iure divino,* because they are understood ever to whisper some just reservation, *sine iusta causa* or *rebus sic stantibus,* so, what law soever is cast upon the conscience or liberty of man, of which the reason is mutable, is naturally conditioned with this: that it binds so long as the reason lives.

Besides, self-preservation, which we confess to be the foundation of general natural law, is no other thing than a natural affection and appetition of good, whether true or seeming. For certainly, the desire of martyrdom, though the body perish, is a self-preservation, because thereby, out of our election, our best part is advanced. For heaven, which we gain so, is certainly good; life, but probably and possibly. For here it holds well which Athenagoras says, earthly things and heavenly differ so, as *verisimile* et *verum*;[23] and this is the best description of felicity that I have found, that it is *reditum uniuscuiusque rei ad suum principium.*[24] Now since this law of self-preservation is accomplished in attaining that which conduces to our ends and is good to us (for liberty, which is a faculty of doing that which I would, is as much of the law of nature as preservation is[25]), yet, if for reasons seeming good to me (as, to preserve my life when I am justly taken prisoner, I will become a slave), I may do it without violating the law of nature. If I propose to myself in

[23] *De resurrectione.*

[24] *Heptaplus* Ioannis Pici, lib. 7, proem.

[25] Sylvius, *Commentarius ad leges regias,* Praefatio, cap. 1.

1772 *non obstantes*] *omit M* (*omission indicated by an ellipsis*)
1776 *motus*] *motu M*
1782 Besides] Beside *M*
1791 that it] that that it *M* (*first* that *marked for deletion*) *reditum Ed.*] *reditus Q M*
1794 a] *omit M*
1798 violating] violating of *M*
n.25 cap.] 1. *Q M*

this self-homicide a greater good, though I mistake it, I perceive not wherein I transgress the general law of nature, which is an affection of good, true or seeming; and if that which I affect by death be truly a greater good, wherein is the other, stricter law of nature, which is rectified reason, violated?

(3) Another reason, which prevails much with me and delivers it from being against the law of nature, is this, that in all ages, in all places, upon all occasions, men of all conditions have affected it and inclined to do it. And as Cardan says that metal is *planta sepulta*, and that a mole is *animal sepultum*,[26] so man, as though he were *angelus sepultus*, labors to be discharged of his earthly sepulchre, his body. And though this may be said of all other sins, that men are propense to them, and yet, for all that frequency, they are against nature (that is, rectified reason), yet, if this sin were against particular law of nature—as they must hold which aggravate it by that circumstance—and that so it wrought to the destruction of our species any otherwise than intemperate lust, or surfeit, or incurring penal laws, and such like do, it could not be so general, since, being contrary to our sensitive nature, it hath not the advantage of pleasure and delight to allure us withal, which other sins have.

And when I frame to myself a martyrologe of all which have perished by their own means for religion, country, fame, love, ease, fear, shame, I blush to see how naked of followers all virtues are in respect of this fortitude, and that all histories afford not so many examples, either of cunning and subtle devices or of forcible and violent actions, for the safeguard of life as for destroying.

Petronius Arbiter, who served Nero, a man of pleasure, in the office of master of his pleasures, upon the first frown went home and cut his veins, so present and immediate a step was it to him, from full pleasure to such a death.

[26] *De subtilitate*, lib. 5.

1807 says that] says it, *Q*
1814 it by that] by *M*

How subtly and curiously Atilius Regulus destroyed himself, who, being of such integrity that he would never have lied to save his life, lied to lose it, falsely pleading that the Carthaginians had given him poison, and that within few days he should die though he stayed at Rome.

Yet Codrus' forcing of his death exceeded this, because in that base disguise he was likely to perish without fame.

Herennius the Sicilian could endure to beat out his own brains against a post, and, as though he had owed thanks to that brain which had given him this device of killing himself, would not leave beating till he could see and salute it.

Comas, who had been a captain of thieves, when he came to the torture of examination, scorning all foreign and accessory helps to die, made his own breath the instrument of his death, by stopping and recluding it.

Hannibal, because, if he should be overtaken with extreme necessity, he would be beholden to none for life nor death, died with poison which he always carried in a ring, as Demosthenes did, with poison carried in a pen.

Aristarchus, when he saw that seventy-two years, nor the corrupt and malignant disease of being a severe critic, could wear him out, starved himself then.

Homer, which had written a thousand things which no man else understood, is said to have hanged himself because he understood not the fishermen's riddle.

Othryades, who only survived of three hundred champions appointed to end a quarrel between the Lacedaemonians and Athenians, when now the lives of all the three hundred were in him, as though it had been a new victory to kill them over again, killed himself.

Democles, whom a Greek tyrant would have forced, to show that he could suffer any other heat scalded himself to death.

1833 who] Wo *Q*
1840 owed] ought *M*
1851 seventy-two] 27 *M*
1854 which had] who had *M*

Portia, Cato's daughter, and Catulus Luctatius sought new conclusions and, as Quintilian calls them, *nova sacramenta pereundi*,[27] and died by swallowing burning coals.

Poor Terence, because he lost his one hundred and eight translated comedies, drowned himself.

And the poet Labienus, because his satirical books were burnt by edict, burned himself too.

And Zeno, before whom scarce any is preferred, because he stumbled and hurt his finger against the ground, interpreted that as a summons from the earth and hanged himself, being then almost one hundred years old, for which act Diogenes Laertius proclaims him to have been *mira foelicitate vir, qui incolumis, integer, sine morbo excessit.*

To cure himself of a quartan, Portius Latro killed himself, and Festus, Domitian's minion, only to hide the deformity of a ringworm in his face.

Hippionas the poet rhymed Bubalus the painter to death with his iambics.

Macer bore well enough his being called into question for great faults, but hanged himself when he heard that Cicero would plead against him, though the Roman condemnations at that time inflicted not so deep punishments. And so Cassius Licinius, to escape Cicero's judgment, by choking himself with a napkin, had, as Tacitus calls it, *pretium festinandi*.[28]

You can scarce imagine any person so happy or miserable, so reposed or so vain, or any occasion either of true loss, or of shamefastness, or frowardness, but that there is some example of it. Yet no man to me seems to have made harder shift to die than Charondas, who, first having made a new law that it should be death to enter the council chamber armed, not only offended that law, but punished it presently by falling upon his sword.

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[27] *Declamatio* 17.

[28] *Annales*, lib. 6.

1870 the] *omit M*
1881 to death] *omit M*
1887 Licinius] Lucinius *M*
n.28 6 *Ed.*] 5 *Q M*

But the general hunger of such death is abundantly expressed in those swarms of the Roman gladiatory champions, which, as Lipsius collects, in some one month cost Europe 30,000 men,[29] and to which exercise and profusion of life, till express laws forbade it, not only men of great birth and place in the state, but also women, coveted to be admitted.[30]

By Eleazar's oration, recorded in Josephus, we may see how small persuasions moved men to this. He only told them that the philosophers among the Indians did so, and that we and our children were born to die, but neither born to serve.[31]

And we may well collect that in Caesar's time, in France, for one who died naturally, there died many by this devout violence. For he says there were some, whom he calls *devotos* and *clientes*[32] (the later laws call them *soldurios*[33]), which, enjoying many benefits and commodities from men of higher rank, always when the lord died, celebrated his funeral with their own. And Caesar adds that, in the memory of man, no one was found that ever refused it; which devotion, I have read somewhere, continues yet in all the wives in the kingdom of Bengala in the Indies.

And there, not only such persons as do it in testimony of an entire dependency and of a gratitude, but the Samanaei (which did not inherit religion and priesthood and wisdom, as Levites did amongst the Jews and the gymnosophists amongst them, but were admitted by election, upon notice taken of their sanctity) are said to have studied ways how to die, and especially then when they were in best state of health.[34] And yet,

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[29] Lib. 1, cap. 12, *De gladiatoribus*.

[30] Idem, lib. 2, cap. 3.

[31] *De bello Iudaico*, lib. 7, cap. 8.

[32] Lib. 3 *Commentariorum* [*de*] *bello Gallico*.

[33] Tholosanus, *Syntagma*, lib. 14, cap. 10, n. 14.

[34] Porphyrius, *De abstinentia animalium*.

1897 hunger] houre *Q*
1900 profusion] profession *M*
1905 among] amongst *M*
1919 Levites] the Levites *M*
1920 gymnosophists amongst] gymnosophists among *M*
n.31 8 *Ed.*] 28 *Q M*
n.34 *animalium Ed.*] *antiq*. *Q M*

these priests, whose care was to die thus, did ever sum up and abridge all their precepts into this one, "Let a pious death determine a good life,"[35] such an estimation had they of this manner of dying.

How pathetically Latinus Pacatus expresses the sweetness of dying when we will: Others, saith he, after the conquest, "making a braver bargain with destiny, prevented uncertain death by certain, and the slaves 'scaped whipping by strangling. For who ever feared after there was no hope? Or who would therefore forbear to kill himself, that another might? Is another's hand easier than thine own? Or a private death fouler than a public? Or is it more pain to fall upon thy sword, and to oppress the wound with thy body, and so receive death at once, than to divide the torment, bend the knee, stretch out the neck, perchance to more than one blow?" And then, wondering why Maximus, who had before murdered Gratian and was now suppressed by Theodosius, had not enjoyed the common benefit of killing himself, he turns upon Gratian, and says, "Thou, reverend Gratian, hast chased thine executioner and wouldst not allow him leisure for so honest a death, lest he should stain the sacred imperial robe with so impious blood, or that a tyrant's hand should perform thy revenge, or thou be beholden to him for his own death."[36] And with like passion speaks another panegyric to Constantine, who, after a victory, took their swords from the conquered *ne quis incumberet dolori*, by which language one may see how natural it was to those times to affect such dispatch.

And in our age, when the Spaniards extended that law which was made only against the cannibals, that they who would not accept Christian religion should incur bondage, the Indians in infinite numbers escaped this by killing themselves, and never ceased till the Spaniards, by some counterfeitings,

[35] Heurnius, *De philosophiis barbaricis*, lib. 2, cap. 2.

[36] *Panegyricus Theodosio.*

1928 expresses] expresseth *M*
1934 another's] another *M*   thine] thine thine *M*
1937 the knee . . . the] thy knee . . . thy *M*
1954 this] *omit M*

made them think that they also would kill themselves and follow them with the same severity into the next life.[37]

And thus much seeming to me sufficient to defeat that argument which is drawn from self-preservation, and to prove that it is not so of particular law of nature but that it is often transgressed naturally, we will here end this second distinction.

Distinction III

(1) After this, when men by civility and mutual use one of another became more thrifty of themselves and sparing of their lives, this solemnity of killing themselves at funerals wore out and vanished, yet leisurely and by unsensible diminutions. For first, in show of it, the men wounded themselves, and the women scratched and defaced their cheeks, and sacrificed so by that aspersion of blood. After that, by their friends' graves they made graves for themselves, and entered into them alive, as nuns do when they renounce the world. And after, in show of this show, they only took some of the earth, and wore it upon their heads, and so, for the public benefit, were content to forfeit their custom of dying.[1]

And after Christianity—which, besides the main advantage above all other philosophies, that it hath made us clearly to understand the state of the next life (which Moses and his followers, though they understood it, disguised ever under earthly rewards and punishments—either because human nature, after the first fall till the restitution and dignification thereof by Christ, was generally incapable of such mysteries, or because it was reserved to our blessed Savior to interpret and comment upon His own law—and that great successive trinity of human wisdom, Socrates, Plato, and Aristotle, saw but

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[37] Matalius Metellus, *Praefatio in historia Osorii.*

[1] Sylvius, *Commentarius ad leges regias*, cap. 24.

1960 so of] of so *M*

1966 diminutions] dimunitions *Q*

1975 main advantage] many advantages *Q* glimmeringly and variously, as also, for matters of this life, the most stoic and severe sect that ever cast bridle upon mankind)—I say, after Christianity had quenched those respects of fame, ease, shame, and such, how quickly, naturally man snatched and embraced a new way of profusing his life, by martyrdom.

(2) For, whilst the famous acts, or famous sufferings, of the Jews for defense even of ceremonies (many thousands of them being slain only because they would not defend themselves upon the Sabbath); and whilst the custom of that nation ever embrued in sacrifices of blood, and almost of all other nations devout and earnest even in the immolation of men; and whilst the example of our blessed Savior, who chose that way for our redemption, to sacrifice His life and profuse His blood, was now fresh in them and governed all their affections, it was not hard for their doctors, even by natural reasons and by examples, to invite or to cherish their propenseness to martyrdom.

Clement, therefore, when he handles this point, scarce presents to them any other argument than natural men were capable of, and such food and such fuel as would serve the taste and fervor of such an one as were not curious above nature, as: that death was not naturally evil; that martyrdom was the beginning of another life; that the heathen endured greater pains for less reward; that a barbarous people immolated every year a principal philosopher to Xamolxis, an idol, and they upon whom the lot fell not mourned for that; and, with most earnestness, that martyrdom is in our own power[2]—which be arguments better proportioned to nature than to divinity. And therefore, Clement presumed them men inclined, or inclinable, by nature to this affection.

Tertullian's reasons are somewhat more sublime, yet rather fine and delightful than solid and weighty, as: that God, know-

[2] *Stromata,* lib. 4.

1985 as] is *M*
1994 almost *Ed.*] all, most *Q*, all most *M*
2008 philosopher] Philosoper *Q*
2012 presumed] pronounced *M*

ing man would sin after baptism, provided him *secunda solatia, lavacrum sanguinis*; that the death of saints, which is said to be precious in God's sight, cannot be understood of the natural death common to all; and that, from the beginning in Abel, righteousness was afflicted.[3] And these reasons were not such as would have entered any in whom a natural inclination had not set open the gates before.

Cyprian also takes the same way, and insists upon application of prophecies of these two sorts: that they should be despised in this world, and that they should be rewarded in the next.[4]

To these were added external honors: annual celebrating their memories and entitling their deaths *natalitia*,[5] and that early instituting of the office of notaries to register their passions, even in Clement's time,[6] and the proposing their *salita capita* to be worshipped, which word, though Eunapius speak it profanely, was not undeserved by the general misuse of such devotion.[7]

And after the monopoly of appropriating martyrdom, and establishing the benefit thereof upon them only which held the integrity of faith and were in the unity of the church (of which persuasion Augustine, and Jerome, and most of the ancients are cited to be),[8] and then by continual increasing the dignity and merit of it, as that *ex opere operato* it purged actual sin, as baptism did original,[9] and that, without charity and in schism, though it merited not salvation, yet it diminished the intense-

[3] *Liber contra Gnosticos.*

[4] *Liber de exhortatione martyrii, ad Fortunatum.*

[5] Tertullian, *De corona militis.*

[6] Damasus et Platina.

[7] Hadrianus Iunius in *Eunapii Vita.*

[8] Fevardentius, lib. 8, cap. 13; Baronius, *Martyrologium*, cap. 10.

[9] Carbo, *Summa casuum conscientiae*, tom. 2, pars 2, [lib. 3,] cap. 7.

2018 God's] God *M*
2029 register] regulate *Q*
2030 Clement's] Clemens *Q*
n.6 Damasus] Damasc. *Q*
n.7 Hadrianus] *omit M*
n.9 *Summa . . . conscientiae*] *Sum. M, Cas Cons. Q* 7 *Ed.*] 6 *Q M*

ness of damnation.[10] And by these they incited man's nature to it, which also might be a little corruptly warmed towards it by seeing them ever punished who afflicted them, for so Tertullian says, that no city escaped punishment which had shed Christian blood.[11]

After this, they descended to admit more into their fellowship, and communicate and extend these privileges. For by such indulgence are Herod's infants martyrs;[12] so is John Baptist, though he died not for a matter of Christian faith; so is he which suffers for any virtue, and he which dies in his mother's womb if she be a martyr;[13] and so is he which, being for Christian profession wounded deadly, recovers; and he which, being not deadly wounded, dies after of sickness contracted by his own negligence, if that negligence amounted not to mortal sin.[14]

So not only the sickly and infirm succeeding ages, but even the purest times did cherish in men this desire of death, even by contrary reasons, both which notwithstanding, by change of circumstances had appearance of good. For as fire is made more intense sometimes by sprinkling water, sometimes by adding fuel, so when their teachers found any coolness or remissness in them, and an inclination to flight or composition with the state, then Cyprian noted such with the ignominy of "*libellatici*," because they had taken an acquittance of

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[10] *De poenitentia*, Dist. 3, *Si quis autem*, ex Augustino, *De poenitentia*.

[11] *Ad Scapulam*.

[12] Augustini epistola ad Hieronymum, 28, *De natura et origine animae*.

[13] *Aphorismi* Emmanuelis Sa, verbo "Martyrium."

[14] Thomas, 2a2ae, q. 124, a. 4 ad 4m.

2043 warmed] warned *M*

2053–54 recovers . . . wounded] *omit M*

2059 contrary] contracting *M*

2064 then] the *M*

2065 acquittance] acquaintance *M*

n.10 3 *Ed.*] 1 *Q M* *quis Ed.*] *qui Q M* *patientia Ed.*] *poenitent. Q M*

n.14 2a2ae] 22r *Q*

the state, and says of them, *culpa minor sacrificatorum, sed non innocens conscientia.*[15]

And then Tertullian equally infames flying away and such merchandising, when he says persecution must not be redeemed, for running away is a buying of your peace for nothing, and a buying of your peace for money is a running away.[16] And then we shall find that, even against the nature of the word "martyr," it became the common opinion that death was requisite and necessary to make one a martyr; so in Eusebius, the Christians, though afflicted, modestly refuse the name of martyrs, and profess that they have not deserved it except they may be killed.[17]

Contrariwise, in other times, when the disease of headlong dying at once seemed both to wear out their numbers, and to lay some scandal upon the cause which wrought such a desire in men which understood not why they did it, but uninstructed, uncatechized, yea, unbaptized—but that the charity of the supervivers imputed to them *baptisma fluminis*, as they hoped, or at least *sanguinis*, for that they saw—did only as they saw others do, then, I say, as a learned writer of our time says, that the church abstains from easy canonizing, *ne vilesceret sanctitas* (which is not here "holiness," but "saintship").[18] Lest the dignity of martyrdom should be aviled by such promiscuous admittance to it, they were often contented to allow them the comfort of martyrdom without dying, which was but a returning to the natural sense of the word. So Ignatius styles himself in his epistles "martyr";[19] yea, more than the rest, he brought down the value thereof, and the dear purchase, for he says that as he which honors a prophet in the name of a prophet shall have a proph-

[15] *Sermo de lapsis.*
[16] *De fuga*, propositio 2.
[17] *Historiae*, lib. 5, cap. 2.
[18] *Morales institutiones*, pars 2, lib. 5, cap. 6.
[19] *Ad Polycarpem.*

2068 Tertullian] Terrullian *Q*
2070–71 a buying] buying *M*
2077 times] tyme *M*
2080 uninstructed] misinstructed *M*
2082 supervivers] superiors *M* hoped *Ed.*] hope *Q M*
2083 at least] at y^e least *M*
2089 martyrdom] Martydome *Q*
n.18 6 *Ed.*] 7 *Q M*

et's reward, so he shall have a martyr's reward which honors *vinctum Christi*.[20]

And so, our most blessed Savior proceeding in His merciful purpose of increasing His kingdom upon earth, yet permitting the heathen princes to continue theirs as yet, the Christian religion was dilated and oppressed. And the professors thereof, so dejected and worn with confiscations and imprisonments, thought that, as in the Passover from Egypt every door was sprinkled with blood,[21] so heaven had no door from this world but by fires, crosses, and bloody persecutions, and, presuming heaven to be at the next step, they would often stubbornly or stupidly wink, and so make that one step.

God forbid any should be so malignant so to misinterpret me, as though I thought not "the blood of martyrs to be the seed of the church," or diminished the dignity thereof. Yet it becomes any ingenuity to confess that those times were affected with a disease of this natural desire of such a death, and that to such may fruitfully be applied those words of the good Blessed Paulinus, *athleta non vincit statim, quia exuitur; nec ideo transnatant, quia se spoliant*.[22] Alas! we may fall and drown at the last stroke; for to sail to heaven, it is not enough to cast away the burdenous superfluities which we have long carried about us, but we must also take in a good freight. It is not lightness, but an even, reposed steadfastness which carries us thither.

But Cyprian was forced to find out an answer to this lamentation, which he then found to be common to men on their deathbeds: We mourn because with all our strength we had vowed ourselves to martyrdom, of which we are thus deprived, by being prevented by natural death.[23] And for them who, before they were called upon, offered themselves to mar-

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[20] *Ad Smyrnenses.*

[21] Exodus 12:7.

[22] Severo, *Epistola* 2.

[23] *De contemptu mortis.*

2098 theirs] there *M*

2112 *exuitur*] *eruitur Q*

2120 to be common] to be common to be common *M* (*first three words marked for deletion*) tyrdom, he is fain to provide the glorious and satisfactory name of "professors."[24] From such an inordinate desire, too obedient to nature, proceeded the fury of some Christians who, when sentence was pronounced against others, standing by cried out, "We also are Christians";[25] and that inexcusable forwardness of Germanus, who drew the beast to him and enforced it to tear his body. And why did he this? Eusebius delivers his reason: that he might be the sooner delivered out of this wicked and sinful life.[26] Which acts Eusebius glorifies with this praise, that they did them *mente digna philosophis*,[27] so that it seems wisest men provoked this by their examples, as at the burning of the temple at Jerusalem, Meirus and Josephus, though they had way to the Romans, cast themselves into the fire.[28]

How passionately Ignatius solicits the Roman Christians not to interrupt his death: I fear, saith he, your charity will hurt me, and put me to begin my course again, except you endeavor that I may be sacrificed now. I profess to all churches *quod voluntarius morior*; and after, *blandiciis demulctete feras*, entice and corrupt the beasts to devour me and to be my sepulchre; *fruar bestiis*, let me enjoy those beasts, whom I wish much more cruel than they are, and if they will not attempt me, I will provoke and draw them by force. And what was Ignatius' reason for this, being a man necessary to those churches, and having allowable excuses of avoiding it? *Quia mihi utile mori est*.[29]

Such an intemperance urged the woman of Edissa, when the Emperor Valens had forbidden the Christians one temple to which particular reasons of devotion invited them, to enrage the officers with this contumely when they asked her why, thus

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[24] Baronius, *Martyrologium*, 2 Ianuarii, [nota] h.

[25] Eusebius, *Historiae*, lib. 8, cap. 9.

[26] *Historiae*, lib. 4, cap. 15.

[27] *Historiae*, lib. 8, cap. 9.

[28] Josephus, *De bello Iudaico*, lib. 6, cap. 1.

[29] Ignatius, *Epistola ad Romanos*.

2141 I may] it may *Q*
2147 to] in *M*
n.26 *Historiae*] *Hict. Q* 15 *Ed.*] 14 *Q M*
n.27 8 . . . 9 *Ed.*] 4 . . . 10 *Q M*
n.28 6 . . . 1 *Ed.*] 7 . . . 11 *Q M*

squalid and headlong, she dragged her son through the streets: I do it lest when you have slain all the other Christians, I and my son should come too late to partake that benefit.[30] And such a disorderly heat possessed that old wretched man which, passing by after the execution of a whole legion of 6,666 by iterated decimation, under Maximianus, although he were answered that they died not only for resisting the Roman religion, but the state, for all that wished that he might have the happiness to be with them, and so extorted a martyrdom.[31]

For that age was grown so hungry and ravenous of it, that many were baptized only because they would be burnt, and children taught to vex and provoke executioners, that they might be thrown into the fire. And this assuredness, that men, in full persuasion of doing well, would naturally run to this, made the proconsul in Afric proclaim, "Is there any more Christians which desire to die?" And when a whole multitude by general voice discovered themselves, he bid them, "Go hang and drown yourselves, and ease the magistrate."[32] And this natural disposition afforded Mahomet an argument against the Jews: If your religion be so good, why do you not die?[33] For our primitive church was so enamored of death, and so satisfied with it, that to vex and torture them more, the magistrate made laws to take from them the comfort of dying, and increased their persecution by ceasing it, for they gloried in their numbers.[34]

And as in other warfares, men muster and reckon how many they bring into the field, their confidence of victory was in the multitudes of them which were lost. So they admit into the catalogue Herod's infants, and the 11,000 virgins. And when 9,000 soldiers under Hadrian, by apparition of an angel are said

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[30] Nicephorus, lib. 11, cap. 22.

[31] *Speculum* Vincentii, tom. 4, lib. 12, cap. 2.

[32] Bodin, *Daemonomania*, lib. 4, cap. 3, ex Tertulliano.

[33] *Alcoranum*, azoara 72.

[34] Bodin, ex Tertulliano, supra.

2161 wished] he wished *M*
2166 a] *omit M*
2180 multitudes] Multitude *M*
n.30 22 *Ed.*] 21 *Q M*
n.31 12 . . . 2 *Ed.*] 11 . . . 40 *Q M*

to have embraced Christian religion, and when the emperor sent others to execute them, one thousand of those executioners joined to them, and so the whole 10,000 were crucified.[35] And of an entire legion massacred at once, we spoke but now.[36] And Baronius speaks of 10,000 crucified in Armenia, celebrated upon the two-and-twentieth of June[37] (whether divers from the 10,000 under Hadrian or no, I have not examined). St. Gregory says, "Let God number our martyrs, for to us they are more in number than the sands."[38] And Baronius says that (excepting the first of January, which yet in the Roman martyrologe records as many as most other days) there is no day which hath not five hundred martyrs;[39] almost every one hath nine hundred or eight hundred.

(3) And when the church increased abundantly under all these pressures (for, as in profane and secular wars, the greater the triumphs of a conqueror are, the greater also are his armies, because then more and more concur to his splendor and to participate his fortunes, so in this spiritual warfare, the greater the triumphant church was, the greater grew the militant, assisted both with the example and prayers of the other), and when all these treadings down did but harrow our Savior's field, and prepare and better it for His harvest, the blood of the martyrs (for though, as I say still, very many died out of a natural infirmity of despising this life, a great number had their direct mark upon the glory of God and went to it awake) having, as Nicephorus says, almost strangled the Devil,[40] he tried by his

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[35] *Speculum* Vincentii, tom. 4, lib. 10, cap. 88.

[36] Supra [p. 76].

[37] Baronius, *Martyrologium*, 22 June.

[38] *Homilia 27 in Evangelium.*

[39] *Martyrologium*, cap. 5.

[40] Lib. 4, cap. 2.

2185 and so] *omit M*
2186 spoke] spoke of *M*
2191 than] then then *Q*
2200 participate] praticipate *Q*
2206 their] *omit M*
2207–08 as Nicephorus] as a (a) Nicephorus *Q*, as [a]Nicephorus *M*
n.36 Supra] Supra. fo. 66 *Q*, *omit M*
n.39 5 *Ed.*] 8 *Q M*

two greatest instruments (when they are his), the magistrate and the learned, to avert them from this inclination.

For, suggesting to the magistrate that their forwardness to die grew only from their faith in the resurrection, he procured their bodies to be burnt and their ashes scattered into rivers, to frustrate and defeat that expectation.[41] And he raised up subtle heretics to infirm and darken the virtue and majesty of martyrdom.

Of which, the most pestilently cunning Basilides, foresuspecting that he should not easily remove that desire of dying which nature had bred and custom confirmed in them, tried to remove that which had root only in their religion, as being yet of tenderer growth and more removable than natural impressions. Therefore, he offered not to impugn their exposing themselves to death in all cases, but only said that it was madness to die for Christ, since He, by whose example they did it, was not crucified, but Simon, who bore the cross.[42]

Another heretic, called Helchesaë, perceiving that it was too hasty to condemn the act of martyrdom even for Christ, thought only to slacken their desire to it, by teaching that in time of persecution, so we kept our heart at anchor safe, we were not bound to testify our religion by any outward act, much less by dying;[43] which doctrine the Gnostici also taught, but prevailed little, both because the contrary was rooted in nature, and because they accompanied this doctrine with many others foul and odious even to sense, and because they were resisted by Tertullian, a man mighty both in his general abilities and in his particular and professed earnestness to magnify martyrdom. And against these he writ his *Scorpiacum*.

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[41] *Speculum* Vincentii, tom. 4, lib. 10, cap. 102.

[42] Alphonsus Castrensis, verbo "Martyrium," ex Philastro.

[43] Prateolus, lib. 5, ex Nicephoro.

2222 exposing] exposing of *M*

2225 who] that *M*

2226 Helchesaë] Helchesar *Q*

2237 *Scorpiacum*] Scorpriacum *M* (*second* r *may be marked for deletion*)

(4) This way giving no advantage to heretics, they let loose the bridle of their own nature, too, and apprehended any occasion of dying as forwardly as the orthodoxal Christians. And because the other prescribed against them, and were beforehand with them in number, to redeem time and overtake them, they constituted new occasions of martyrdom.

Petilian, against whom St. Augustine writ, taught that whosoever killed himself as a magistrate, to punish a sin committed before, was a martyr.[44] And they who are by St. Augustine and others called Circumcelliones and Circuitores (because, I think, as their master, they went about to devour) would entreat, persuade, enforce others to kill them, and, frustrated after all those provocations, would do it themselves, and by their survivors be celebrated for martyrs. These were of the Donatists, of whom St. Augustine says, to kill themselves out of respect of martyrdom was *ludus quotidianus*.[45]

Other heretics also, whose errors were not about martyrdom, hastened to it. So the Cataphrygae, who, erroneously baptizing the dead, ordaining women, annulling second marriages, and erring in such points,[46] could soon boast of their number of martyrs, perchance because, Tertullian being then on their part, they found him (as he was wheresoever he came) a hot encourager of men to martyrdom.[47] It is complained in Eusebius that heretics, seeing their arguments confuted, fled now to their number of martyrs, in which they pretended to exceed the others.[48] And from their numbers of martyrs, the Euphemitae called themselves Martyrians;[49] and thereupon

[44] Alphonsus Castrensis, verbo "Martyrium."

[45] Tomus 2, epistola 50.

[46] Prateolus [lib. 3].

[47] Baronius, *Martyrologium*, cap. 10.

[48] *Historiae*, lib. 5, cap. 16.

[49] Baronius, *Martyrologium*, cap. 10, ex Epiphanio, *Haeresis*, 80.

2243 constituted] costituted *M*

2255 who] *omit M*

2259 wheresoever] wheresoêre *M*

2264 Euphemitae] Euphenitae *Q*

n.48 16 *Ed.*] 15 *Q M*

n.49 ex] en *M*

Baronius says, amongst the heathen, perchance you may here and there find one Empedocles which will burn himself, but amongst the Donatists, *hominum examina*.[50]

(5) So that the authority gained by their forwardness to equal the number of true martyrs was so great, and began so far to perplex the world, that some councils, foreseeing that if both sides did it equally, it would all be imputed to human respects, began to take it into their care to provide against it. And thereupon, one council exhibits an express canon, that no Christian, leaving true martyrs, should go to false, *quia alieni a Deo*.[51] And another corrects the other heresy, of diminishing the reputation of martyrs, thus: *Martyrum dignitatem nemo profanus infamet*.[52]

(6) Thus, when the true spirit of God drew many, the spirit of contention many, and other natural infirmities more, to expose themselves easily to death, it may well be thought that from thence the authors of these later ages have somewhat remitted the intenseness of martyrdom, and mingled more alloys, or rather more metal, and not made it of so great value alone, as those earnest times did. For, since St. Thomas said that though martyrdom be a work of greatest perfection, yet it is not of itself, but as it is wrought by charity and expresses that,[53] Vasquez reprehends Cordubensis for saying that it is any worship of God, for it is not, says he, a sacrifice nor work of religion, but of fortitude, which is but a moral virtue.[54] Therefore, it is now taught that it is a mortal sin to provoke another to inflict martyrdom,[55] and a martyr (though martyrdom purge

[50] *Epitome* Schultingii, tom. 3, cap. 177.

[51] Concilium Laodiciae, canon 33.

[52] Concilium Carthagensis, I, canon 2.

[53] 2a2ae, q. 124, a. 3.

[54] *De adoratione*, lib. 1, n. 42.

[55] Navarre, *Manuale*, cap. 11, n. 40.

2265 says] sayth *M*
2271 did it] did *M*
2273 one] our *Q*
2283 alloys] allayes *Q*, allay *M*
n.50 *Epitome* Schultingii] Schultingius *Q*

much) is bound to cleanse himself by every one of the degrees of penance, for, saith Carbo, it is not *sacramentum*, but *opus privilegiatum*.[56] So they seem tender and loath, by addition of religious incitements, to cherish or further that desire of dying to which, by reason of our weakness and this world's encumbrances, our nature is too propense and inclined.

Only the Jesuits boast of their hunting out of martyrdom in the new worlds, and of their rage till they find it. He which hath brought them all upon one scene says that Alphonsus Castro, at his execution in the Molucca, was so overjoyed that he forgot his modesty. *Rapimus martyrium*, says he, *spontanea irruptione*, and, one would think that it were a disease in us, which we do lest the rest of our life should be *meritis sterile et gloria vacuum*; we bargain and contract with our profession upon that condition, that we may *prodigere animas in hostili ferro*; and we possess no more than such small matters as only serve to cut off our life.[57] So that if this desire of dying be not agreeable to the nature of man, but against it, yet it seems that it is not against the nature of a Jesuit.

And so we end this distinction, which we purposed only for the consideration of this desire of martyrdom, which swallowed up all the other inducements which, before Christianity contracted them, tickled and inflamed mankind.

Distinction IV

(1) There remains only, for the fourth and last distinction of this first part, one reason by which this self-homicide seems

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[56] Carbo, *Summa casuum conscientiae*, tom. 2, pars 2, lib. 3, cap. 7.

[57] Clarus Bonarscius, *Amphitheatrum honoris*, lib. 1, cap. 4.

2300 one] our *Q*
2301 Molucca] Moluua *M*
2305 upon] upon upon *M*
2317 first] *omit M* one] our *Q*
n.56 *Summa . . . conscientiae*] Sum. *M*, Cas. Cons. *Q* tom. . . . 7 *Ed.*] To. p. 2. c.6 *Q M*
n.57 Bonarscius] Bonarsicus *Q*

to me to escape the breach of any law of nature, which is that both express literal laws and mute law, custom, hath authorized it, not only by suffering and connivancy, but by appointing it.

And it hath the countenance not only of many fluourishing and well-policed states, but also of imaginary commonwealths which cunning authors have ideated, and in which such enormous faults are not like to be admitted.

Amongst the Athenians, condemned men were their own executioners by poison, and amongst the Romans, often by bloodlettings. And it is recorded of many places that all the *sexagenarii* were, by the laws of wise states, precipitated from a bridge; of which (if Pierius his conjecture be true, that this report was occasioned by a custom in Rome by which men of that age were not admitted to suffrage, and because the way to the Senate was *per pontem*, they which for age were not permitted to come thither were called *depontani*[1]) yet it is more certain that amongst the Ceans, unprofitable old men poisoned themselves, which they did crowned with garlands, as triumphers over human misery.[2] And the Ethiopians loved death so well, that their greatest malefactors, being condemned to banishment, escaped it ordinarily by killing themselves.[3] The Civil Law, where it appoints no punishment to the delinquent in this case, neither in his estate nor memory, punishes a keeper if his prisoner kill himself,[4] out of a prejudice that, if means may be afforded them, they will all do so. And do not we see it to be

[1] *Hieroglyphica*, lib. 17.

[2] Aelianus, lib. 3, cap. 37.

[3] Diodorus Siculus, lib. 3 *Bibliothecae*.

[4] *Digesta*, lib. 48, tit. 3, leges finales.

2318 breach] brack *M*
2320 connivancy] conveniency *M*
2332 not] *omit M* suffrage] surffage *Q*
2335 old] *omit M*
2336 crowned] crown *Q* triumphers] triumphes *M*
2340 where] when *M*
2341 punishes] punisheth *M*
2342 may] *omit M*
n.2 37 *Ed.*] 26 *Q M*
n.3 3 *Ed.*] 2 *Q M*

the custom of all nations now, to manacle and disarm condemned men, out of a foreassurance that else they would escape death by death?

Sir Thomas More, a man of the most tender and delicate conscience that the world saw since St. Augustine, not likely to write anything in jest mischievously interpretable, says that in Utopia the priests and magistrates did use to exhort men afflicted with incurable diseases to kill themselves, and that they were obeyed as the interpreters of God's will, but that they who killed themselves without giving an account of their reasons to them were cast out unburied.[5] And Plato, who is usually cited against this opinion, disputes in it in no severer fashion, nor more peremptory, than thus: "What shall we say of him which kills his nearest and most dear friend, which deprives himself of life, and of the purpose of destiny, and, not urged by any sentence, or heavy misfortune, nor extreme shame, but out of a cowardliness and weakness of a fearful mind, doth unjustly kill himself? What purgatory and what burial by law belongs to him, God himself knows. But let his friends inquire of the interpreters of the law, and do as they shall direct."[6] You see nothing is delivered by him against it, but modestly, limitedly, and perplexedly.

And this is all which I will say of the first member of that definition of sin which I undertook, which is transgressing of the law of nature. Wherein I make account that I have sufficiently delivered and rescued this self-homicide from any such violating of the law as may aggravate the fact or make it heinous.

[5] *Utopia,* lib. 2, cap. De servis.

[6] *De legibus,* 9.

2348 St.] *omit M*
2349 interpretable] interpreted *M*
2351 incurable] miserable *M*
2355 in it] it *M*
2356 which] who *M*
2358 destiny] Deuinity *M*
2361 belongs] belong *M*
2362 friends] freind *M*
2364 limitedly] limitably *M*

SECOND PART

Of the Law of Reason

Distinction I

(1) That part of the definition of sin which we received for the second place is that it be against the law of reason, where, if we should accept reason for *recta ratio* (especially primarily and originally), it would be the same as law of nature; therefore, I rather choose to admit such an acceptation thereof as may bring most doubts into disputation, and so into clearness.

Reason, therefore, in this place shall signify conclusions drawn and deduced from the primary reason by our discourse and ratiocination; and so sin against reason is sin against such arguments and conclusions as may, by good consequence, be derived from primary and original reason, which is light of nature.

This primary reason, therefore, against which none can plead license, law, custom, or pardon, hath in us a sovereign and masculine force, and by it, through our discourse, which doth the motherly office of shaping them and bringing them forth and up, it produces conclusions and resolutions.

2371–74 SECOND . . . (1) *Ed.*] Second Part. Distinction I: Of the Law of Reason. Sect. I *Q*, Dist.1. Sect. 1 Of the Law of Reason *M*
2374 received] reserued *M*
2377 therefore] There= *M*
2382 ratiocination] Rationacion *M*
2386 primary] prima= *M*
2390 produces] produceth *M*

(2) And as in earthly kingdoms, the king's children, and theirs, and their race as far as we may reasonably presume any tincture of blood, have many privileges and respects due to them, which yet were forfeited if there appeared any bastardy or interruption of lawful descent from that root, and though these respects and obsequiousness belong to them as they are propagated from that root, and as some sparks of that sovereignty glimmer in them, yet their servants and officers take them where they find them, and consider them only as dukes or lords and possessors of patrimonial estates, but every man's heart and allegiance is directed and fastened upon the prince (and perchance a step or two lower, with a present and immediate relation to the father) and what they have from him, so, when from those true propositions, which are the eldest children and issue of our light of nature and of our discourse, conclusions are produced, those conclusions also have now the nature of propositions, and beget more, and to all these there belongs an assent and submission on our parts, if none by the way have been corrupted and bastarded by fallacy. And though, as in the other case, men of a weak disposition, or lazy, or flattering, look no farther into any of these propositions than from whose mouth it proceeds, or what authority it hath now, not from whence it was produced, yet upon the heir apparent, which is every necessary consequence from natural light, every man's resolution is determined and arrested by it, and submitted to it.

And though human laws, by which kingdoms are policed, be not so very near to this crown of certain truth and first light (for if they were necessary consequences from that law of nature, they could not be contrary in diverse places and times, as we see laws to be), yet I do justly esteem them nearer, and to have more

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2392 reasonably] easily *M*
2393 blood] the blood *M*
2394 any] and *M*
2395 that] the *M*
2401 the] *omit M*
2408 on] in *M*
2411 farther] further *M* any of] *omit M*
2419 contrary] conrary *M*

of that blood royal in them, than the resolutions of particular men, or of schools, both because it is of the essence of all human law that it agrees with nature (I mean for the obligation *in interiori foro*, without which a law hath no more strength than an usurper, whom they which obey watch an opportunity to dispossess), and because assemblies of parliaments and councils and courts are to be presumed more diligent for the delivery and obstetrication of those children of natural law, and better witnesses that no false nor suppositious issue be admitted, than any one man can be. For the law is therefore well called *communis reipublicae sponsio*,[1] because that word signifies as well that to which they have all betrothed themselves, as the security and stipulation which the state gives for every man's direction and assurance in all his civil actions.

Since, therefore, we have in the first part thoroughly examined whether this self-homicide be always, of necessity, against the law of nature, it deserves the first consideration in this second part to inquire how far human laws have determined against it, before we descend to the arguments of particular authors, of whatsoever reverence or authority.

(3) And because, in this disquisition, that law hath most force and value which is most general, and there is no law so general that it deserves the name of *ius gentium* (or if there be, it will be the same, as we said before, as *recta ratio*,[2] and so not differ from the law of nature), to my understanding, the Civil or Imperial Law, having had once the largest extent, and being not abandoned now in the reason and essence and nature thereof, but only lest the accepting of it should testify some dependency upon the Empire, we owe the first place in this consideration to that law.

This, therefore, which we call the Civil Law (for though, properly, the municipal law of every nation be her civil law, yet

[1] *Digesta*, lib. 1, tit. 3, lex 1 *Lex est.*

[2] *Digesta*, lib. 1, tit. 1, lex 9 *Omnes.*

2422 or] *omit M*
2423 agrees] agree *M*
2428 witnesses] witnesse *Q*

Rome's emperors esteeming the whole world to be one city, as her bishops do esteem it one diocese, the Roman law hath won the name of Civil Law), being a decoction and composition of all the regal laws, decrees of the Senate, *plebiscites, responsa prudentum,* and edicts of emperors from 1,400 years before Justinian to so long time after as the eastern emperors made them authentic,[3] being of such largeness as Justinian's part thereof consists of 150,000 of those distinctions, which he calls verses, and is the sum and marrow of many millions extracted from 2,000 volumes;[4] this law, which is so abundant that almost all the points controverted between the Roman and the reformed churches may be decided and appointed by it;[5] this law, I say, which both by penalties and anathemas hath wrought upon bodies, fortunes, and consciences, hath pronounced nothing against this self-homicide which we have now in disputation.

It is true that of Hadrian the emperor, who was about 120 years after Christ, we find one rescript in the body of the law, that if a soldier do attempt to kill himself and not effect it, except he offered it upon impatience of grief, or sickness, or sorrow, or some other cause, *capite plectatur;*[6] which rescript is repeated again in another title, and there (though the other general clause, or some other cause, might seem to have reached far enough) are added especially, for excusing causes, weariness of life, madness, or shame.[7] You see with what moderate gradations this law proceeded, which being, as it seems, to contend and wrestle with a thing customary and naturally affected, extends not at all to punish it when it is done, as in many other crimes the laws do, by confiscation, and by condemning the memory of the delinquent and ignobling his race.

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[3] Iustiniani *Epistola ad Trebonianum.*

[4] Iustiniani *Epistola ad doctores de iurisprudentiae docendi arte.*

[5] Windeck, *Theologia iureconsultorum.*

[6] *Digesta,* lib. 48, tit. 19, lex 38 *Si quis aliquid,* §*Qui miles.*

[7] *Digesta,* lib. 49, tit. 16, lex 6 *Omne delictum.*

2459 them authentic] theyr attentique *M*
2463 controverted] controversed *M*
2469 one] on *M* of the] *omit M*
n.4 Iustiniani] Eiusd. *M*
n.7 16 *Ed.*] 10 *Q M* *delictum*] *debitum M*

Nor embraces it all manners of doing it—yea, scarce any, considering how benignly and favorably penal laws are to be interpreted. Nor overtakes it all men, but only such as, being of present use, as well much disadvantage might grow to the army if suddenly any numbers of them should be suffered to turn upon this natural and easy way of delivering themselves from painful danger, as much damage to the state, if those men matriculated for soldiers, to whom there belonged by the laws as many privileges and immunities under the Roman emperors as ever did to the clergy under the Roman bishops, after they had thus maimed themselves and defrauded the state of their service, should by this inherent character of soldiership enjoy all those advantages which those laws afforded them.

There is one law more in the body of the Civil Law, which seems to reach farther because it binds not itself to any one condition of men, which is, that if a man already accused, or taken in the manner, for any such crime upon which his goods should be forfeited upon conviction, kill himself before judgment, his goods shall be forfeit; else not. For the law adds her opinion of the fact, *non facti sceleritas est obnoxia, sed conscientia metus,* and proceeds, *qui causam mortis habet, habeat successorem,*[8] so that that law presumes there are just causes to work such an effect. And upon the consideration of this Civil Law, I determined to bestow this first distinction.

Distinction II

(1) That which they call the Canon Law is of larger extent than this, for it reaches to bind the princes themselves, at least by their acceptation and submission to it. And, as the subject of it is greater, being people and prince, so is the object, being the next and eternal life. Yea, it is so vast and undetermined, as we

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[8] *Digesta,* lib. 48, tit. 21, lex 3 *Qui rei.*

2491 under the] under their *Q*
2501 *sceleritas Ed.*] *celeritas Q M*
2507 larger] *omit M*

know not in what books to seek the limits thereof, nor by what rules to set the landmarks of her jurisdiction.

For, for the book, it is evident that the primitive church had *Codicem Canonum*, which was inserted into the body of the Roman law and had no other subsistence, but as it was incorporated there. Thereupon Gelasius writes to Theodoricus the Goth, King of Italy, to entreat him that, as by his authority the Roman law was observed in civil matters, so it might be still in ecclesiastic;[1] and after the expulsion of the Goths, Leo IV entreated and obtained the same from Lotharius.[2] From this *Codex Canonum*, the emperors determined and decreed in many ecclesiastic causes; from this *Codex*, the councils after were governed in making their canons, as we may see particular canons of this book cited, the book being often called for in the councils, and being then ordinarily named *The Body of the Canon Law*. This body consisted of the canons of nine councils authorized by the emperors.

But for those immense additions grown to it since that time—of bulls and decretal letters of popes, decrees of suspicious and partial and schismatic councils (for nothing is more properly schism and *solutio continui* than a rent between the civil and ecclesiastic state, which occasioned many of the later councils), the rags of fathers decerpted and detorted by Gratian, and the glosses of these made also as authentic as the text—I perceive not what title they have to be of the body of the Canon Law, except where the princes have incorporated and denizened them.

But, lest to quarrel with their authority now might seem in us a subterfuge and shift to decline them, as though they were heavy against us in this point which we have now in hand, we

[1] Dist. 10, *Certum est*.

[2] Dist. 10, *Vestram*.

2513 her] *omit M*
2517 Theodoricus *Ed.*] Theodorus *Q*, Theodore *M*
2520 Leo IV] Leo 4. *Q*, Leo the 4 *M*
2522 *Codex*] Code *M*
2530 suspicious] suspition *M*
2534 detorted] decocted *Q*
n.2 *Vestram Ed.*] *Vestrum Q M*

will accept them as they are obtruded, and dissemble nothing which in them seems to resist this opinion, though in common intendment this law is likely to be severe against it, because the civil laws content themselves ever with any excuse or color in favor of the delinquent, because when a fault is proved it punishes severely, but the canon laws, which punish only medicinally and for the soul's health, are apt to presume or believe a guiltiness upon light evidence, because those punishments ever work good effects, whether just or no.[3]

(2) And first, because heresy, which is *laesa maiestas divina*, of all crimes is the principal object of that court, I say that this proposition is not, by anything extant in the Canon Law (and therefore not at all), heretical, allowing to them their largest definition of heresy, which is, anything which is against Catholic faith, that is, Scriptures rightly understood, or the traditions and definitions of the church, or general councils lawfully gathered, or definition of the See Apostolic, or the common opinion of fathers, in a matter of faith.[4] The proposition may perchance seem to some so ill-qualified as it may be *male sonans*, or *temeraria*, or perchance *sapiens haeresis*. For all these proceed from the indisposition and distempered taste of the apprehender, which must not always be idly flattered and pampered, but invited to the search and discovery of truth, who, else being the greatest prince in the world, should have no progress, but be straitened in a wretched corner.

First, therefore (to cast a glance upon every part of the definition of heresy), whether it be against the Scriptures rightly understood or no, will be more properly and naturally examined when we come to the last part, which is of divine law.

[3] Palaeotus, *De nothis*, cap. 19.

[4] Simanca, *Enchiridion iudicum*, tit. 24, n. 2.

2542 them] *omit M*
2546 delinquent] Delinquents *Q*
2547 punishes] punisheth *M*
2551 *laesa*] *omit M (omission indicated by an ellipsis)*
2558 definition] the definition *M*
2561 *temeraria*] *Tremeraria M* *haeresis*] *Hersin M* all] *omit M*

Next, there is no tradition nor definition of the church in the point at all, much less as of a matter of faith (which is the second limb of the definition). No decree of any general council. No rescript or bull of any pope. And, for the common opinion of the fathers (besides that it can be no safe rule, because, as Azorius notes, controverters often say on both sides, this is the common opinion, and certainly that is the common opinion in one age which is not in another, yea, in one kingdom, at the same time which is not in another, though both be Catholic, as in Germany and France, by the common opinion, *latria* is not due to the cross; in Spain by the common opinion it is[5]), it cannot appear by the Canon Law that this is the common opinion of the fathers, for Gratian, who only of the compilers of the Canon Law toucheth the point, as far as either my reading or search hath spied out, cites but two fathers, Augustine and Jerome, whereof the latter is of opinion that there may be some cause to do it.[6] But in the Canon Law I find no words, not only to lay the infamous name of heresy upon it, but that affects it with the mark or style of sin, or condemns the fact by inflicting any punishment upon the offender.

I speak here of the Canon Law to which the canonist will stand, which are the decretal letters and all the extravagants. For of Gratian's *Decret,* that learned and ingenious Bishop of Tarragon hath taught us what we should think when he says that he is scarce worth so much reprehension, who, having nothing that is profitable or of use, except he borrows it, is admired of the ignorant and laughed at of the learned;[7] who never saw the books of the councils, nor the works of the fathers, nor the registers of the popes' letters;[8] and whose

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[5] *Morales institutiones,* tom. 1, lib. 2, cap. 13.

[6] 23, q. 5.

[7] Antonius Augustinus, *Liber de emendatione Gratiani,* lib. 1, dialogus 1 De titulo.

[8] Idem, dialogus 4.

2577 this is the] this is your *M*
2577–78 and . . . opinion] *omit M*
2581 *latria Ed.*] Latreia *Q M*
2584 either] euer *M*
2588 words] word *M*
2591 canonist] Canonists *M*

compilation had not that confirmation from Eugenius III as is falsely attributed to it.[9] Yet, although Gratian have not so much authority that, by his inserting an imperial law or fragment of a father, it should therefore be canonized and grow into the body and strength of the Canon Law (for then, though that law were abrogated again by the emperor, it should still be alive, and bind by a stronger obligation in the canon, which Albericus Gentilis proves to be against the common opinion[10]), yet by consent, thus much is afforded him, that places cited by him have as much authority in him as they had in the author from whom he took them. And therefore, when we come to handle the reasons of particular authors, we will pretermit none whom Gratian hath cited, for that is their proper place.

(3) And in this distinction, where we handle the opinion of the Canon Law in the point (not because Gratian cites it, but because the canons of all councils are now usurped as Canon Law), we will consider a canon of the Braccarense Council cited by him.[11]

But first, although he have it not, we will not conceal the Antisidorense Council, which was before the other, under Gregory I, *anno* 590.[12] For as the Civil Laws, by limitation of persons and causes, gave some restraint and correction to this natural desire of dying when we would (which they did out of a duty to sinew and strengthen, as much as they were able, the doctrine of our blessed Savior who, having determined all bloody sacrifices, enlightens us to another doctrine—that to endure the miseries and afflictions of this life was wholesome and advantageous to us), the councils also, perceiving that this first-engrafted and inborn desire needed all restraints, contributed their help.

[9] Idem, dialogus 3.

[10] *De libris iuris canonici,* cap. 2.

[11] 23, q. 5, *Placuit.*

[12] Concilium Antisidorense, sub Gregorio I, anno 590.

2601 falsely] fasly *Q*
2616 we] *omit M*
2628 engrafted] ingraffed *Q*

This canon, then, hath these words: If any kill themselves, *istorum oblata non recipiantur*;[13] for it seems that preaching and catechizing had wrestled and fought with their natural appetite, and tamed them to a perplexity whether it might be done or no, and so, thinking to make sure work, in an indiscreet devotion they gave oblations to the church to expiate the fault, if any were. These oblations the council forbids to be accepted, not decreeing anything of the point as of matter of faith, but providing against an inconvenient practice. Neither was it much obligatory or considerable, what it had decreed, being only a diocesan council of one bishop and his abbots, and whose canons Binius presents because (though some of them be out of use, of which this may be one), yet they are, says he, some discoverers of antiquity.[14]

The other council, which Gratian cites (and besides which two, I find none), hath these words: For those that kill themselves there shall be no commemoration at the oblation, nor shall they be brought to burial with psalms,[15] which intimates, as the language of the Canon Law is, *caninam sepulturam*. But the Gloss upon this doth evict from another canon[16] that, if the person were not under excommunication, it is not so, "for we may communicate with him dead, with whom we may communicate living," which shows that his act of dying so put him not into worse state in this respect. This answers the first punishment inflicted by that canon; and for the second, which is denial of Christian burial, it is very rigorous to conclude a heinousness of the fact from that, since the true Canon Law denies that to men slain at tilt, though it afford them, if they be not presently dead, all the sacraments appliable in that ex-

[13] Canon 17.

[14] Notae Binii in Concilio Antisidorense, tom. 2, fol. 955.

[15] 23, q. 5, *Placuit*.

[16] 24, q. 2, *Sane quod*.

2635 oblations] oblation *M*
2639 it] he *M*
2648 Law is] Lawes *M*
2653 into] in *M*
2655 denial] denying *M*
n.16 *quod Ed.*] *quid Q M*

tremity, as penance, eucharist, and unction.[17] So that, since it denies burial to men whom they esteem in state and way of salvation, the Gloss here collects reasonably, that this punishment reaches not to the dead, but only to deter the living, referring to this purpose an epistle of Gregory saying, so much as a sumptuous funeral profits a wicked man, so much a base, or none at all, hurts a godly.[18]

Lastly, that Clementine which reckons up many causes for which Christian burial is denied (amongst which, one is a local interdict, at what time the holiest man which dies in that place cannot be buried, which sometimes extends to whole kingdoms), instructs us sufficiently that one may be subject to that punishment, if it be any in that law, and yet not guilty of such a crime as this is reputed to be.[19]

And the Romans in their religious discipline refused solemn burial to any which perished by lightnings,[20] though they buried offenders in the town, as they did vestals and emperors, because as their dedication to God had delivered the nuns, and sovereignty the emperors from bondage of law, so did justice, to which they had made full satisfaction, deliver offenders punished.[21] And since Chrysostom and the Braccarense Council inflict the same punishments upon those *catechumeni* who, although they had all other preparations and degrees of maturity in the Christian faith, yet departed out of this world without baptism, as they do upon self-murderers, and so made

[17] *Decretales*, lib. 5, tit. 13 De torneamentis.

[18] 13, q. 2, *Animae*.

[19] Lib. 3, tit. 7 De sepulchris, cap. *Eos qui*.

[20] Sylvius, *Ad leges regias*, cap. 11.

[21] Paulus Manutius, *De legibus romanis*.

2659 since] though since *Q*
2662 reaches] reacheth *M*
2668 which] that *M*
2670 us] as *M*
2674 lightnings] Lightning *M*
2675 buried] *omit M*
2679–87 And . . . damnations] *omit M*
2679 Chrysostom *Ed.*] Saint Hierome *Q*
n.17 *Decretales*] *omit M*

them equal in punishment,[22] and consequently in guiltiness, I think it will ill become the doctrines of our times, and the analogy thereof, to pronounce so desperately of either of their damnations.

And here we end our second distinction of this second part, which was allotted for the examination of the Canon Law.

Distinction III

(1) Of arguments of this nature, which are conclusions deduced out of reason and discourse, next to these general laws of the empire and of the church (which, though it might seem, for the generality thereof, to have deserved the first place, we handled in the second room, because the power thereof hath been ever litigious and questionable), I may justly rank the laws of particular states.

By our law, therefore, as it hath not been long in practice (for Bracton seems not to know such a law when, allowing an entire chapter to that title, he only repeats the words in that imperial law which I cited before, and so admits—if he admit that law—that exception, *sine iusta causa*[1]), he which kills himself is reputed *felo de se,* and whether he be chargeable with any offense or no, he forfeits his goods, which, devolving to the king's almoner, should on the king's behalf be employed in pious and charitable uses. And it is not only homicide, but murder, and yet the reasons alleged there are but these, that the

[22] Sextus Senensis, lib. 6, annotatio 311.

[1] Bracton, fol. 150.

2688 our second] our *M originally; corrected by Donne*
2692 these] theyr *M*
2698 not] *omit M*
2699 know] haue known *M*
2703 with] wth wth *M (second marked for deletion)*
n.22 *Omit M; run on in the text in Q* Sextus] Sert. *Q* 311] 7. p.311. *Q*
n.1 Bracton] *omit M*

king hath lost a subject, that his peace is broken, and that it is of evil example.[2]

Since, therefore, to my understanding it hath no foundation in natural nor Imperial Law, nor receives much strength from those reasons, but having by custom only put on the nature of law, as most of our law hath, I believe it was first induced amongst us because we exceeded in that natural desire of dying so. For it is not a better understanding of nature which hath reduced us from it, but the wisdom of lawmakers and observers of things fit for the institution and conservation of states.

For in ancient commonwealths, the numbers of slaves were infinite, as ever both in Rome and Athens there were ten slaves for one citizen;[3] and Pliny says that, in Augustus' time, Isidorus had above four thousand,[4] and Vedius Pollio so many that he always fed his fish in ponds with their blood.[5] And since servitude hath worn out, yet the number of wretched men exceeds the happy (for every laborer is miserable and beastlike, in respect of the idle, abounding men). It was therefore thought necessary, by laws and by opinion of religion (as Scaevola is alleged to have said, *expetit in religione civitates falli*[6]) to take from these weary and macerated wretches their ordinary and open escape and ease, voluntary death.

And therefore it seems to be so prohibited, as a lawyer says hunting and usury is, *ne inescarentur homines*,[7] and as Ma-

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[2] Plowden, *Comentaries*, Hales his case.

[3] Bodin, *Republica*, lib. 1, cap. 2, et lib. 6, cap. 1.

[4] Lib. 33, cap. 47.

[5] Sebastianus Medices, *De venatione, piscatione, et aucupio*, [lib. 2], q. 41.

[6] Augustine, *De civitate Dei*, lib. 4, cap. 27.

[7] Pruckmannus, *De venatione, piscatione, et aucupio*, cap. 4.

[8] Pomponatius, *De incantationibus*, cap. 10.

2712 of] of a *M*
2716 reduced] redeem'd *M*
2717 conservation] conversation *M*
2720 Isidorus] Isodorus *M*
2725 men] Man *M*
n.4 47 *Ed.*] 10 *Q M*
n.7 Pruckmannus] Pruckinan. *Q*

homet, to withdraw his nation from wine, brought them to a religious belief that in every grape there was a devil.[8]

As, therefore, amongst us a natural disease of stealing (for, as all other, so this vice may as well abound in a nation as in a particular man, and Dorotheus relates at large the sickness of one of his friars, who could not abstain from stealing, though he had no use of that which he stole[9]) hath drawn from a council holden at London, under Henry III, a canon which excommunicates the harborers of thieves, *quibus abundat regio Angliae*, and mentions no other fault but this;[10] and from the custom, and princes' and parliaments' severer laws against theft than are justifiable by nature or the Jews' judicial law (for our law hangs a man for stealing in extreme necessity, when not only all things to him return to their first community, but he is bound in conscience to steal, and were in some opinions—though others say he might neglect this privilege—a self-murderer if he stole not; and Scotus, disputing against the laws of those nations which admit the death of a thief robbing by day,[11] because whoever kills such a thief is expressly by God's law a murderer,[12] asks, where have you read an exception of such a thief from the law *non occides*, or where have you seen a bull fallen from heaven to justify such executions?), so it may be a natural declination in our people to such a manner of death, which weakened the state, might occasion severer laws than the common ground of all laws seems well to bear.

And therefore, as when the Emperor had made a law to cut off a common abuse of misdevout men, that no man might give anything to the clergy, no, not by testament, St. Jerome said, I lament and grieve, but not that such a law is made, but

[9] B. Dorotheus, *Doctrina* 11.

[10] Binius, tom. 3, pars 2, fol. 1476. Anno 1237.

[11] Lib. 4, dist. 15, q. 4.

[12] Exodus 22:3.

2739 holden] hold *M*
2742 severer] severe *Q*
2751 asks] ask *Q*
n.10 Anno 1237] *omit M*
n.11 q. 4 *Ed.*] q. 3 *Q M*

that our manners have deserved such a law, so do I, in contemplation of these laws, mourn that the infirmity and sickness of our nation should need such medicines.

The like must be said of the like law in the Earldom of Flanders, if it be true, that they allow confiscation of goods in only five cases, whereof this is one; and so it is ranked with treason, heresy, sedition, and forsaking the army against the Turk,[13] which be strong and urgent circumstances to reduce men from this desire.

(2) For wheresoever you find many and severe laws against an offense, it is not safe from thence to conclude an extreme enormity or heinousness in the fault, but a propenseness of that people, at that time, to that fault. Thereupon, Ignatius and many others, even entire councils, were forced to pronounce that whosoever fasted upon Sundays were murderers of Christ.[14] So in France the laws abound against duels, to which they are headlongly apt. So are the resolutions of the Spanish casuists and the bulls of the popes iterated and aggravated in that nation against their bullbaitings, to which they are so enormously addicted, which yet of itself is no sin, as Navarre, retracting his opinion after seventy years, holds at last.[15]

These severe laws, therefore, do no more aggravate a fault than mild punishments diminish it. And no man thinks rape a small fault, though Solon punish it, if she be a virgin and freeborn, with so much money as would amount to our five shillings; and the Salic Law punishes a witch which is convict to have eaten a man pecuniarily, and at no high price.[16] And therefore Bartolus allows that in cases of public profit or

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[13] Tholosanus, *Syntagma*, lib. 36, cap. 22, n. 13, ex Butelero in summa rurali.

[14] *Epistola ad Philippenses.*

[15] Navarre, *Manuale*, cap. 15, n. 18.

[16] Cap. 67.

2764–65 of Flanders] *omit M originally; inserted by Donne*
2772 a] the *M*
2781 opinion] union *M*
2782 no] *omit M*
2786 punishes] punisheth *M*
n.15 cap. 15] l. 15 *Q*

detriment, the judges may extend an odious and burdenous law beyond the letter, and restrain a favorable and beneficial law within it, though this be against the nature and common practice of both these laws.[17]

If, therefore, our and the Flemish law be severe in punishing it, and that this argument have the more strength because more nations concur in such laws, it may well from hence be retorted that everywhere men are inclinable to it, which establisheth much our opinion, considering that none of those laws which prescribe civil restraints from doing it can make it sin, and the act is not much discredited if it be but therefore evil, because it is so forbidden, and binds the conscience no farther, but under the general precept of obedience to the law or to the forfeiture.

(3) It seems also by the practice of the Jews, for Josephus speaks of it as of a thing in use,[18] that they did not bury such as killed themselves till the sun set. But, though I know not upon what law of theirs they grounded this, and I find not by writers of their policies since their dispersion (for though they have no magistracy, but be under the laws of those places into which they are admitted, in all cases except where they be exempted by privilege, yet they do also testify a particular detestation of some sins by outward penances among themselves, as, in theft, they bind and whip and enjoin to public confession, and in adultery the offender sits a day in winter in freezing water, and in summer upon an anthill or amongst hives of bees naked[19]), though, I say, I find not by Gallatin, Sigonius, Buxdorfius, nor

[17] *Digesta*, [tit.] De his qui notantur infamia, lex 2, §1, n. 2.

[18] *De bello Iudaico*, lib. 8, cap. 5.

[19] Buxdorfius, *Synagoga Iudaica*, cap. 34.

2796	establisheth] establish *M*
2797	opinion] opinions *M*
2804	as of] as *M*
2807	of their *Ed.*] of either of their *Q M*
2811	among] amongst *M*
n.17	*Digesta*] H. *Q*
n.18	8 . . . 5 *Ed.*] 3 . . . 13 *Q M*
n.19	*Iudaica*] *Iuda. M*, *Iudais Q*

Molther that this was or is in use amongst them, yet because Josephus, though but oratorily, says it, we will accept it, and believe that it was upon the reason common almost to all nations, to deter men from doing it, and not to punish it being done. And of like use, that is, *in terrorem*, was also that law of the Athenians, who cut off that hand after death which perpetrated the fact, which law Josephus remembers in the same place.

(4) That reason which is grounded upon the edict of Tarquinius Priscus, who, when this desire of death reigned amongst his men like a contagion, cured it by an opprobrious hanging up their bodies and exposing them to birds and beasts,[20] and upon that way of reducing the virgins of Milesium, who, when they had a wantonness of dying so, and did it for fashion, were by decree dishonorably exhibited, as a spectacle to the people, naked,[21] prevails no farther than the argument before, and proves only a watchful solicitude in every state, by all means to avert men from this natural love of ease, by which their strength in numbers would have been very much impaired. And thus we determine this distinction.

Distinction IV

We will now descend to those reasons which particular men have used for the detestation of this action. And first we will pay our debt to Gratian, in considering the places cited by him; and after, the other reasons of divine authors (if they be not grounded upon places of Scriptures, which we repose for the last part) shall have their ventilation in this distinction.

[20] Pliny, lib. 36, cap. 24.

[21] Aulus Gellius, lib. 15, cap. 10.

2819 doing it] doing *M*

2822 the fact] that fact *Q* remembers] rembers *M*

2831 farther] furder *M*

2832 solicitude] soluitude *M*

n.20 24 *Ed.*] 13 *Q M*

(1) The first place, then, is in an epistle of St. Augustine to Donatus the heretic, who, having been apprehended by the Catholics, fell from his horse and would have drowned himself, and after complains of violence used towards him in matter of religion, wherein he claims the freedom of election and conscience. St. Augustine answers: We have power to endeavor to save thy soul against thy will, as it was lawful to us to save thy body so. If thou wert constrained to do evil, yet thou oughtest not to kill thyself. Consider whether in the Scriptures thou find any of the faithful that did so when they suffered much from them who would have forced them to do things to their souls' destruction.[1]

To speak a little of St. Augustine in general (because from him are derived almost all the reasons of others, he writing purposely thereof from the seventeenth to the twenty-seventh chapter of his first book *De Civitate Dei*), I say, as the confessaries of these times, comparing Navarre and Sotus, two of the greatest casuists, yield sometimes that Navarre is the sounder and learneder, but Sotus more useful and appliable to practic divinity, so, though St. Augustine, for sharp insight and conclusive judgment in exposition of places of Scripture, which he always makes so liquid and pervious that he hath scarce been equalled therein by any of all the writers in the church of God, except Calvin may have that honor (whom, where it concerns not points in controversy, I see the Jesuits themselves often follow, though they dare not name him), have a high degree of reverence due to him, yet in practic learning and moral divinity he was of so nice, and refined, and rigorous a conscience—perchance to redeem his former licentiousness, as it falls out often in such convertites to be extremely zealous—that for our direction in actions of this life, St. Jerome and some others may

[1] 23, q. 4, *Displicet.*

2846 towards] toward *M*
2856 others] the others *M*
2867 in] of *M*
2868 of] and *Q*
n.1 4 *Ed.*] 3 *Q M* *Displicet*] *Duplicet Q*

be thought sometimes fitter to adhere unto than St. Augustine. Yet I say not this as though we needed this medicament for this place.

For I agree with St. Augustine here, that neither to avoid occasion of sin, nor for any other cause wherein myself am merely or principally interested, I may do this act; which also serves justly for answer to the same zealous father in the other place cited by Gratian, for with him I confess, that he which kills himself is so much the more guilty herein, as he was guiltless of that fact for which he killed himself;[2] though, by the way, this may not pass so generally, but that it must admit the exception which the rule of law upon which it is grounded carries with it, *Nemo sine culpa puniendus, nisi subsit causa.*[3]

And so, as St. Augustine, we, with as much earnestness, say, *Hoc asserimus, hoc dicimus, hoc omnibus modis approbamus*: that neither to avoid temporal troubles, nor to remove from others occasion of sin, nor to punish our own past sins, nor to prevent future, nor in a desire of the next life—where these considerations are only or principally—it can be lawful for any man to kill himself. But neither St. Augustine nor we deny but that, if there be cases wherein the party is disinterested, and only or primarily the glory of God is respected and advanced, it may be lawful.

So that, as Valens the emperor, having surprised Iamblichus when his divining cock had described three letters of his name who should succeed, slew all whose names were Theodorus, Theodotes, or Theodulus, but escaped Theodosius, who fulfilled the prophecy, so St. Augustine hath condemned those causes which we defend not, but hath omitted those

[2] 23, q. 5, *Si non.*

[3] Regula iuris [23] *Sexto.*

2883 that] the *M*
2884 it] you *M*
2889 troubles] trouble *Q*
2891 to] *omit M*
2892 can] cannot *M*
2894 disinterested] disinteressed *M*
n.2 23] 22 *Q*
n.3 iuris] sur. *Q* *Sexto*] 6ª *Q M*

wherein it is justifiable, in which cases, being hard to be discerned and distinguished from others arising from human infirmity, if that rule which Antonius de Corduba gives in cases of simony be, as he says it is, a good guide in all perplexities, it will ease very much.[4]

He says, because in the case of simony many difficulties grow, because not only by clear and common judgments, temporal reward may be taken for spiritual offices, by way of gift, stipend, wages, alms, sustentation, or fulfilling the law or custom of that place, but also, by some doctors, even by way of price and bargain, if not directly for the spiritual part thereof, yet for the labor necessarily annexed to it; because every curate cannot distinguish in these cases, he bids him "ever do it with an intention to do it so as God knows it may be done, and as wise men know and would teach that it might be done"; for thus, saith he, humbly remitting ourselves to the learned, which are our fathers in instruction, whatever defect be in us, yet *salvamur in fide parentum*. And in this sort, Pindarus, making an implicit prayer to God that He would give him that which He knew to be best for him, died in that very petition.[5]

Except, therefore, St. Augustine have that moderation in his resolution that a better life never receives a man after a death whereof himself was guilty,[6] we will be as bold with him as one who is more obliged to him than we, who, repeating Augustine's opinion that the Devil could possess nobody except he entered into him by sin, rejects the opinion and says the

[4] Antonius Cordubensis, *De simonia*, q. 27, editione hispanica.

[5] Hesychius, *Vitae philosophorum*.

[6] Ubi supra [p. 102].

2903 cases] case *Q*
2906 it] that *M*
2911 sustentation] sustenation *Q*
2914 necessarily] vncessarily *M*
2915 cases *Ed.*] cures *Q M*
2916 be] de *Q*
2919 are] *omit M* fathers in] fathers *Q*
2924 after a] after the *M*
2928 opinion] opinions *Q*
n.4 Antonius . . . *simonia*] *omit M*
n.6 *Omit M*

holy father speaks not of what must of necessity be, but what for the most part uses to be.[7]

(2) And in our case we ought, as I think, rather to follow St. Jerome's temper, who in his exposition upon Jonas (which I wonder why Gratian cited, being so far from his end and advantage) says, in persecutions I may not kill myself, *absque eo, ubi castitas periclitatur*,[8] where I am so far from agreeing with Gratian that "*absque eo*" is inclusively spoken and amounts to this phrase "no, not though,"[9] as I think that good, learned father included in that word "*castitas*" all purity of religion and manners; for to a man so rectified, death comes ever and every way seasonably and welcome, for *qualem mors invenit hominem, ita homo invenit mortem.*[10]

(3) From this place of St. Jerome, I believe, and some other which perchance I have not read, and some other places in others of like charitable descent to this opinion, Lavater, having made his profit of all Peter Martyr's reasons almost against this act, and adding some of his own when they both handle the death of Saul, confesseth that in this case of preserving chastity, Augustine, Chrysostom, and Lactantius, and Jerome departed from their opinion who condemned this act.[11]

(4) Peter Martyr also presents one other reason, of which he seems glad and well contented in it, which is that we may not hasten death because *mors malum*. But it is not worthy of his gravity, especially so long after Clemens Alexandrinus had so thoroughly defeated that opinion.[12]

[7] Thyraeus Iesuita, *De daemoniacis*, cap. 31, n. 428.

[8] 23, q. 5, *Non est*.

[9] *Glossa* in locum supra.

[10] Idiotae *Contemplatio de morte*.

[11] Lavater in I Samuelem, caput ultimum.

[12] *Stromata*, lib. 4.

2934 persecutions] persecution *Q*
2935 *periclitatur*] *periclisatur M*
2945 Peter] Peters *Q*
2947 death] duties *Q*
2949 departed] depart *M* condemned] condemn *M*
n.9 in locum supra] *omit M*

But if it be *malum*, it is but *malum poenae*, and that is an evil of which God is author, and is not that *malum quo mali sumus*.[13] Neither doth it always prove the patient to be evil—though God, for all that, be always just—for Himself said of the man born blind, "Neither he nor his parents have sinned."[14] And of that *malum poenae* which is esteemed the greatest, in this life, of temporal afflictions, because of the near danger of impairing our soul, which is to be possessed, Thyraeus, from St. Jerome and Chrysostom, says that it is not always inflicted for sin, but to manifest the glory of God.[15] And therefore, the greatest evil which can be imagined of this kind of evil, which is damnation, hath not so much *rationem mali* as the least sin that draws damnation.[16]

Death, therefore, is an act of God's justice, and when He is pleased to inflict it, He may choose His officer, and constitute myself as well as any other.

And if it were of the worst sort of evil, yet, as St. Augustine says that in the act of marriage there is *bonus usus mali, id est concupiscentiae, quo malo male utuntur adulteri*,[17] and as good Paulinus praises Severus, that he, having *in coniugio peccandi licentiam*, departed not from his accustomed austerity,[18] so may the same be said of death in some cases, as in martyrdom.

For, though Martyr urge farther that death is called God's enemy,[19] and is therefore evil, yet Musculus says upon that place, it is often commended in Scriptures, because towards the faithful God useth it to good ends, and makes it *cooperari*

[13] Aquinas, la, q. 48, a. 6 con.

[14] John 9:3.

[15] Thyraeus, *De daemoniacis*, cap. 31 [nn. 422, 423].

[16] Aquinas, la, q. 48, a. 6 con.

[17] Augustine, *De bono coniugii*.

[18] Paulinus, Severo *Epistola* 1.

[19] I Cor. 15:26.

2973 *concupiscentiae*] *concupisentiae M*
2974 praises] prayseth *M* *in*] *omit M*
2978 farther] furder *M*
2979 yet] yea *Q*
2981 *cooperari*] *coeperari M*
n.18 Paulinus, Severo] *omit M*
n.19 26 *Ed.*] 20 *Q*, 36 *M*

ad salutem.[20] And by what authority can they so assuredly pronounce that it falls out never in our case?

Besides this, death hath lost much of her natural malignity already, and is not now so ill as at first she was naturally; for as Calvin notes here, she is already so destroyed that she is not *lethalis,* but *molesta.*[21]

(5) One reason more Martyr offers of his own, which is *vita donum*: life, because it is the gift of God, may not be profused. But when we have agreed to him that it may not be unthriftily and prodigally cast away, how will he conclude from thence such an ingratitude as that I shall forsake God's glory, and may in no case *ponere animam*? How will it follow from "I must not always" to "I may never"?

(6) Lavater, after many other, urges this reason: that because judges are established, therefore no man should take dominion over himself. But in the Church of England, where auricular confession is not under precept, nor much in practice (for that we admit it not at all, or refuse it so as the Waldenses did, though a reverend man say it,[22] is more than I knew), who is judge of sin against which no civil law provides, or of which there is no evidence? May not I accuse and condemn myself to myself, and inflict what penance I will, for punishing the past and avoiding like occasion of sin?

Upon this reason depends that perplexed case, whether the pope may not give himself absolution from oaths and vows, and partake his own indulgences, although by the best opinion

[20] Marlorate, in hunc locum.

[21] Calvin, in hunc locum.

[22] Humfredus, *Iesuitismi pars 2,* ad rationem 3 Campiani.

2995 Lavater] Leuater *M*
2997 where] when *M*
3000 knew] know *M*
3006 oaths] Acts *Q*
3007 partake] partake by *M*
n.21 *Omit M*
n.22 *pars* 2] pl.2 *Q*

it is agreed that to do so is an act of jurisdiction which, by Lavater's rule, no man may exercise upon himself.

The Imperial Laws forbid in a generality any to be judge in his own cause,[23] but all expositors except sovereigns. And in ordinary judges, all agree with Baldus, that *in facto notorio*, if the dignity of the judge be concerned, he is the proper judge of it; and he says that it belongs to the praetor to judge whether such a cause belong to his judgment or no.[24] And with a *non obstante* even upon natural law, as the words of the privilege are, Theodericus allowed bishops to be judges in their own cause.[25] So, if a son which had not been *sui iuris* had been made consul, he might have emancipated himself, or authorized another to have adopted him.[26]

And besides that, it appears that the popes have exercised jurisdiction upon themselves even before they were popes; for John XXII, having permission to choose one pope, chose himself, which deed Naucler relates and justifies by canonical rules.[27] It is plain that he may exercise jurisdiction upon himself in any case where there is not a distinction of persons enjoined *iure divino*, as in baptism, which will not be stretched to our case.

And certainly the reason of the law, why none should be judge in his own cause, is because everyone is presumed favorable towards himself; and therefore, if it be dispensable in some cases beneficial to a man, much more may it be in cases of inflicting punishment, in which none is imagined to be over-

[23] *Codex*, lib. 3, tit. 5, lex [1] *Generali.*

[24] Baldus, *Digesta*, [tit.] De iudiciis, lex 5.

[25] Filesacus, *De episcoporum auctoritate*, cap. 1, §17.

[26] *Digesta*, lib. 1, tit. 7, lex 3 *Si consul.*

[27] Volumen 2, generatio 44.

3015 judgment] Iudgments *M*
3017 Theodericus *Ed.*] Theodorius *Q*, Theodoriucs *M*
3022 they] theyr *M*
3023 XXII] 23 *Q*
3026 where] when *M*
3031 towards] towawrde *M*
3033 inflicting] afflicting *M*
n.23 *Generali*] *Generati Q*

rigorous to himself. And if man were by nature as slavish as the Esseni by profession and rule, who had power of themselves in nothing but *iuvando et miserendo*,[28] I see not but when this becomes an act of advantage to ourselves, we may have jurisdiction enough to do it; and, what is more evident to prove, that in some cases derogatory and prejudicial to us we have this right over ourselves, then, that every man may *cedere suo iure*, and *non uti privilegio*.

And it was by all condemned in Gregory in the Great Schism, that after he had promised to depart from the papacy by oath, in which was a clause that he should neither ask, give, nor accept absolution from that oath, he induced his mendicants to preach that it were deadly sin in him to derelinquish the church.[29] So, also, have many kings departed from their government, and despoiled them of their burden at their pleasure. For as one says of the whole church, it may be said of every particular member: it was ever in political bondage, but not in spiritual.[30]

So that, if there be cases wherein one may assuredly, or probably, after just diligence used, conclude upon an illumination of the spirit of God, or upon a ceasing of the reason of the law at that time in him, that man is then *sui iuris*.

For though in cases where there is a proper court, I am bound to it, yet, as kings which are both sovereigns may therefore justly decide a cause by war because there can be no competent judge between them, so in secret cases between the spirit of God and my conscience, of which there is not certainly

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[28] Heurnius, *De philosophiis barbaricis*, [lib. 2, cap. 23].

[29] Theodoricus à Niem, lib. 3, capp. 3 et 23.

[30] Schlusselburgius, *Catalogi haereticorum*, lib. 13.

3038 it; and,] it. And *Q M*
3039 us] us, *Q M*
3040 then,] then *Q M* *suo*] *in suo M*
3041 *privilegio.*] *privilegio; M*
3048 pleasure] pleasures *M*
3053 probably] probaly *Q*
n.29 Niem] Nice. *Q*
n.30 *Catalogi*] *Catul. Q*

constituted any exterior judge, we are ourselves sufficient to do all the offices. And then, delivered from all bondage and restored to our natural liberty, we are in the same condition as princes are who, if in the rigor of words they may not properly be said to give themselves privileges, have yet one general and inherent privilege, and when they will, they may declare that, in that particular case, they will not take a new, but exercise their old privilege.[31]

(7) And because Josephus hath one reason which tastes of divinity, we will consider it in this place. He says our soul is *particula Dei,* and deposed and committed in trust to us, and we may not neglect or disharbor it before He withdraw it.[32] But we are still upon a safe ground that whensoever I may justly depart with this life, it is by a summons from God, and it cannot then be imputed to any corruption of my will, for *Velle non creditur, qui obsequitur imperio.*[33] Yet I expect not ever a particular inspiration, or new commission such as they are forced to purchase for Samson and the rest, but that resident and inherent grace of God, by which He excites us to works of moral, or higher, virtues.

And so, when it is so called for again, it were a greater injustice in us to deny or withhold anything of which we were depositaries, than if we were debtors;[34] yea (not to depart from Josephus' allusion or metaphor of *depositum*), if it were a fault to let go that of which I were depositary before it were truly called for, yet *in conscientia errante,* I were excusable, for it is *ex substantia depositi, ut depositarius tantum de dolo teneatur, non de culpa;*[35] yea, when I have a secret from another *data*

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[31] Acacius, *De privilegiis iuris,* lib. 1, cap. 7.

[32] *De bello Iudaico,* lib. 3, cap. 8.

[33] Regula iuris 4a.

[34] Aristotelis *Problemata,* sect. 29, q. 2.

[35] Tholosanus, *Syntagma,* lib. 23, cap. 3, n. 17.

3065 and] *omit Q*
3074 by] but *M*
3085 I] we *M*
n.32 8 *Ed.*] 13 *Q M*

fide, I have this in all respects *in natura depositi,*[36] and yet no man doubts but that I may in many cases depart with this secret.

(8) There are many metaphorical and similitudinary reasons scattered amongst authors, as in Cicero and Macrobius, made rather for illustration than for argument or answer, which I will not stand to glean amongst them, since they are almost all bound up in one sheaf in that oration of Josephus,[37] or else will be fitly handled in those places of Scripture which make some such allusions.

(9) Josephus, then, in that oration hath one reason drawn from the custom of an enemy: We esteem them enemies who attempt our lives, and shall we be enemies to ourselves? But besides that in this place Josephus speaks to save his own life, and may justly be thought to speak more *ex animo* and dispassioned, where in the person of Eleazar he persuades to kill themselves,[38] there is neither certain truth in the assertion, nor in the consequence. For do we esteem God or the magistrate our enemy when by them death is inflicted? And do not martyrs, in whose death God is glorified, kiss the executioners and the instruments of their death? Nor is it unlawful, unnatural, or unexpedient for us in many cases, to be so much our own enemies as to deny ourselves many things agreeable to our sensitive nature, and to inflict upon ourselves many things repugnant to it, as was abundantly showed in the first part.

(10) In the same oration he hath another allusory argument, that a servant which runs away is to be punished by the law, though his master be severe; much more if we run away from so indulgent a master as God is to us. But, not to give strength or

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[36] Soto, *De tegendo secretum,* memb. 1, q. 1.

[37] *De bello Iudaico,* lib. 3, cap. 8.

[38] Lib. 7, cap. 8.

3098 allusions] allusion *M*
n.37 8 *Ed.*] 14 *Q M*
n.38 8 *Ed.*] 28 *Q M*

delight to this reason by affording it a long or diligent answer, we say in our case the servant runs not from his master, but to him, and at his call obeys his voice. Yet it is, as truly as devoutly, said, the Devil is overcome by resisting, but the world and the flesh by running away.[39] And the farther, the better.

(11) His last which is of any taste is, that in a tempest, it were the part of an idle and treacherous pilot to sink the ship. But I say, if in a tempest we must cast out the most precious ware aboard to save the lives of the passengers, and the merchant who is damnified thereby cannot impute this to any, nor remedy himself, how much more may I, when I am weather-beaten and in danger of betraying that precious soul which God hath embarked in me, put off this burdenous flesh, till His pleasure be that I shall resume it? For this is not to sink the ship, but to retire it to safe harbor and assured anchor.

And thus our fourth distinction, which was to embrace the reasons proposed by particular authors, whether divine or profane, and as well oblique and metaphorical as direct, shall here be determined.

Distinction V

(1) Another sort of reasons is produced from grounds of moral virtues, of which St. Thomas proposeth two which we limit for this distinction (for that of St. Augustine, that it is against fortitude, hath another room). First, then, Aquinas says, it is against justice and against charity.[1]

And the first in two respects, both because he steals from the universe, or from that state to which his service is due, one person and member of the body, and also because he usurps

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[39] Bosquierus, *Monomachia*, concio 7.

[1] 2a2ae, q. 64, a. 5.

3122 farther] further *M*
3139 proposeth] protesteth *M*
3144 that] y^{e} *M*
n.39 *Monomachia*] *omit Q*

upon the right of God. But the first of these may as well be said of all who, retiring themselves from functions in the commonwealth, defraud the state of their assistance and attend only their own ends, whether in this life or the next. For certainly, to do even that so intensely as we neglect our office of society is *in genere rei* the same offense as this. But as there are many which follow Aquinas herein, so Navarre and Sayre and others are, upon better reason, of opinion that this can be no sin against justice.

And for the second reason, this is not to usurp upon God's authority, or to deal with another's servant, if I become His servant, and His delegate, and His commissioner in doing this when He can be no other way so much glorified. And though the passage from this life to the next be not generally left to our free will, and nobody be properly lord of his own life, yet, though we have not *dominium,* we have *usum,* and it is lawful for us to lose that when we will;[2] between which negative killing and positive killing, how little and narrow a distance there is, and how contiguous they are, we shall see in another place.

If, therefore, the reason why we may not die thus be because we are not lords of our own life, but only God, then the state cannot take away our life, for that is no more lord of our life than we are,[3] that is, she cannot do it but in cases where she is God's officer. And if in this case there were any injury done to the state, then certainly it were in the power of the state to license a man to do it, and he should, upon such a license, be excusable in conscience, for this in the state were but *cedere iure suo,* which any may lawfully do. And lastly, if the state were injured in this, the state might lawfully recompense the damage upon the heir and goods of the delinquent, which,

[2] Sayre, *Thesaurus casuum conscientiae,* lib. 7, cap. 9, n. 19.

[3] Sayre, lib. 7, cap. 9, n. 2.

3150 office] offices *M*
3168 we] *omit M*
3172–73 *cedere iure*] *Cedere in re Q,* Ceder Iure *M*
3174 the state] it *M*
n.3 7 . . . 9 *Ed.*] 9 . . . 7 *Q M*

except in those places where express laws allow it, cannot be done.

Yet I think the better opinion, to judge by number of authors, will be that if that person be of necessary use to that state, there are in it some degrees of injustice, but yet no more than if a general of much use should retire into a monastery. But if we may safely take their resolution that it is not against justice, we may ease ourselves of all that labor which must be spent upon the third part; for since the foundation of that will be principally the commandment *Thou shalt not kill*, if this killing be not against justice, it is no breach of any part of the Decalogue, and so no sin.

If any should think that it may be an injustice to ourselves, Aquinas in the same place clears it.[4] And if it were possible for a man to injure himself, which is not, yet this injury might be oftentimes such an one as Cicero says his banishment was, *non modo non propulsanda, sed emenda*, considering how much happiness might recompense it.

And whether it be against charity or no, because charity is not properly a moral virtue, nor of this place because many of those places of Scripture, which we must handle in the last part, are built upon this ground of charity, we will not examine till we come thither. Here, I will only say that, though it be yet under disputation, and questionable whether this be against charity or no, this is certainly against charity: to pronounce so desperately, as men use to do, against them who fall into it.

(2) Of such reasons derived from the rules of moral virtue, Aristotle insinuates two. For, observing that this kind of death caught men by two baits, ease and honor, against them who would die to avoid misery, he teaches death to be the greatest

[4] 2a2ae, q. 59, a. 3 ad 3m.

3182 their] this *Q*
3183 that] the *M*
3192 *emenda*] *emanda M*
3205 teaches] teacheth *M*

misery which can fall upon us,[5] which (not to examine how it can consist with the rest of his doctrine) was to that purpose the most slippery and insinuating persuasion. And then, that honor and fame might draw none, he says it is cowardliness, and dejection, and an argument of an unsufferable and impatient mind.[6] But of the first of these we have spoken before, in answer to one of Peter Martyr's reasons, and of the other we shall have occasion to say enough when we come to a place where St. Augustine says the same thing.[7] And so we may ease this distinction of that business.

Distinction VI

(1) Having thus considered those reasons which in the best authors are to be found, and showed such rules as serve for the true understanding of them and of all others which spring from the same or like heads, before we determine this second part, which is of the law of reason, it shall be requisite that we also touch those reasons which on our part are by others, and may be by us, produced, by which this self-homicide may be delivered, either *a toto* or *a tanto*.

But not to stop long upon that law and practice in the state of Rome, that any who had his causes allowed in the Senate might kill himself (upon which Quintilian frames a case, that a son, who by mathematician's predictions was first to kill many enemies and then his father, having in the wars performed the first part, makes petition to the Senate that, before he come to perform the last part, he may be admitted to kill himself, and argues it for the son by many reasons appliable to his particular case and to our main question[1]), I will hasten to our chief strength.

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[5] Aristotle, *Ethica*, lib. 3, cap. 6.

[6] Cap. 7.

[7] Infra [p. 188].

[1] *Declamatio* 4.

3223 by us] us *M*

n.7 Infra.] Infra fol. 249 *Q*, *omit M*

(2) It may, then, give much light to this business if we compare desertion and destruction, and consider whether and wherein they differ. Certainly, in almighty God, it is not the same thing to forsake and to destroy, because He owes us nothing, and ever in His forsakings there are degrees of mercy, because He might then justly destroy us, and may after, at His good pleasure, return again to us.

But between men, who are mutual debtors and naturally bound to one another, it is otherwise. For a magistrate or minister that abandons his charge, and neglects it, destroys it. So says Agapetus the Deacon to Justinian the Emperor, *privati vitium est patrare, principis omittere.*[2] Yea, a private man which hinders not a man's wrong when it belongs to him to do it, offers it. *Fame morientem si non paveris, occidisti,* saith Ambrose.[3] And that clergyman which hinders not a manslaughter, if he can, is thereby irregular.[4] And he which to himself denies necessary things, or exposes himself inordinately to such dangers as men use not to escape, kills himself. He that is as sure that this medicine will recover him as that this poison will destroy him, is as guilty if he forbear the physic as if he swallow the poison. For what is this less than to attend the ruin of a house, or inundation of a stream, or incursion of mad beasts? They which compare omissions and committings require no more to make them equal, but that we omit something which we could and should do.

(3) First, therefore, in all laws, in such faults as are greatest, either in their own nature or in an irremediableness when they are done, all approaches, yea the very first step to them, hath the same guiltiness, and is under the same punishment, as the

[2] *In admonitorio.*

[3] Dist. 86, *Pasce.*

[4] *Tabula Parisii censurarum.*

3236 whether] where *Q*
3239 forsakings] forsaking *M*
3247 man's] *omit M* when] where *M*
3248 *paveris*] *parceris M originally; corrected by Donne*
3253 this] his *M*
n.4 *censurarum*] *omit M*

fault itself. As in treason and heresy, the first consent is the absolute fault, and we have an example of a woman burnt for petty treason, for compassing the death of her husband, though it were not effected.[5]

Homicide is one of those crying sins, and hath ever been reckoned *in atrocibus*; for though the Athenians removed all Draco's laws by disuse, for their extreme severity, yet they retained those against homicide.[6]

And this homicide, says Tolet, may be done five ways: by (1) commandment, by (2) advice, by (3) permission, by (4) help, or by the fact itself.[7] And in the first and worst homicide, committed in Paradise, in which were employed all the persons in the world which were able to concur to evil, when, though there was but one man, all the millions which have been and shall be were massacred at once, and himself, too, as many of these kinds of homicides were found as was possible in so few persons; for, as one notes, the serpent counselled, the woman helped, and Adam perpetrated,[8] and, we may safely and reverently say, God permitted. If, then, every one of these be a kind of homicide, no approach towards it can be lawful; if any be lawful, that is not homicide. Let us, therefore, consider how far, and in how many of these ways, self-homicide may be allowable.

(4) First, therefore, though it be the common received opinion, *mandatorem et mandatarium eidem poenae subiici*,[9] yet by the way of precept we cannot properly work upon

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[5] Stanford, *Plees del coron*, cap. Petie treason.

[6] Aelian, lib. 8, cap. 10.

[7] Praecepto 5.

[8] Reuchlin, *De verbo mirifico*, lib. 2, cap. 14.

[9] Bartolus, *Digesta*, [tit.] De iniuriis, lex *Non solum*, §*Si mandato*.

3266 compassing] composing *M*
3273 by (2) advice, by (3) permission] by 3Permission, by 2Aduise *M*
3274 fact] Act *M*
3283 towards] toward *M*
3284 that] it *M*
3289 the] this *M*
n.5 *Omit M*
n.9 iniuriis] Iudiciis *M*

ourselves, because in this act the same party must be agent and patient and instrument. Nor very properly by the second way, of advice; yet so near we may come to the nature of it, that after discourse we may advisedly choose one part and refuse the other, for *cuius est velle, eius est et nolle.*[10] And so we may wish to ourselves that which is naturally evil, I mean *malum poenae,* as the eremite, by earnest prayer, obtained of God that he might be possessed of the Devil for certain months, because he found in himself an inclination to pride and security.[11]

Thus certainly, in some cases, we may without sin wish death, and that not only for enjoying the sight of God—for so says a holy man, *pro visione Dei, millies corpus nostrum morti dare optamus*[12]—but even to be so delivered from the encumbrances of this life; for so it hath *rationem boni,* as Peter Martyr argues,[13] and then, *Nolle meliorem est corruptio primae habitudinis.*[14] This, therefore, we may wish; and yet it is so far from being lawful to wish anything which were evil, that it is sin to wish that any thing which is naturally evil were not so, that so we might then wish it when it were discharged of that natural illness.[15]

Death itself, therefore, is not evil, nor is it evil to wish it. Is it evil to further that, with more actual help, which we may lawfully wish to be done?

These two extreme religions which seem to avile secular magistracy, and subject monarchs either to an ordinary or else to a consistory, accept willingly this saying, "Curse not the king, no, not in thy heart," that is, wish not ill to him. Nor have I observed that the authors of either distemper have, in

[10] Regula iuris 3.

[11] Sulpitius in *Vita Martini,* dialogus 1.

[12] Martialis, *Ad Tholosanos.*

[13] *Commentarii in Samuelem,* lib. 1, cap. ultimum.

[14] *Heptaplus* Pici, lib. 7, proem.

[15] Adrianus, *Quodlibeticae,* 10, a. 2.

3292 it] y^{t} *M*
3294 *et*] *omit M*
3304 *Nolle*] *Nove Q*
3310 it. Is] it, is *Q*, it, nor is *M*
3312 done?] done. *M*
3313 These] Those *M*
n.13 lib. 1] *omit M*

their books, allowed that the subject might wish the death of the prince but in the same cases where he might contribute his actual help.

For both Papists and Puritans teaching that a lawful king may become a tyrant—which to my understanding cannot consist with the form and right of an inheritable monarchy, yet one who pretends to go the middle way (and that is truly in this case *via regia*) says that as well we as the Romanists esteem a king of another religion a tyrant, and that it is impossible to make such a king but he must be a tyrant in the opinion of one side,[16] and for his own opinion delivers that no man can be bound by oath of fidelity to the pope, upon this reason, because he is not indeed *vicarius Dei*, as he presumed him and swore him to be;[17] and conformably to this, that book whose title and scope is of the foundation of matter of state in France (and, as it pretends, in all Christendom), when, after it hath enraged subjects against tyrants, it comes to declare what a tyrant is, exemplifies in the King of Spain, and upon such reasons as any malignity equal to that author may cast upon what prince it will;[18] and lastly, whoever shall well compare Beccaria's book[19] with Beza's (if that other be Beza's), though they differ diametrally in many things, yet by their collision and beating together arise abundantly sparks of this pestilent doctrine that, as tranquillity was, so now religion is the reason why we admit kings, and why they are none when they neglect religion—upon these doctrines, I say, it is inferred that it is lawful to wish the death of a tyrant, or of a favorer of heretics, though he die in mortal sin.[20]

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[16] Saravia, *De imperandi authoritate*, epistola.

[17] Lib. 1, cap. 39.

[18] *Declaration et protestation des doctes en France*, anno 1605.

[19] Beccaria, *Contra librum de iure magistratum*.

[20] Carbo, *Casuum conscientiae summa summarum*, tom. 3, lib. 3, cap. 9.

3332 matter] matters *M*
3342 they are] thy are *M*
n.16 Saravia] Saxavia *Q*
n.17 1 . . . 39 *Ed.*] 2 . . . 36 *Q M*
n.18 *Omit M*
n.20 *Casuum . . . summarum*] Sum̃a *M*

To wish, therefore, and to do are naturally the same fault, and yet, though it be a sin to offer myself even to martyrdom only for weariness of life,[21] or to wish death simply for impatiency, anger, shame, poverty, or misfortune,[22] yea, to wish heaven merely for mine own happiness, yet certainly St. Paul had some allowable reasons to desire to be dissolved, and to be with Christ.[23] And Calvin, by telling us upon what reason and to what end he wished this, instructs us how we may wish the same. He says Paul desired not death for death's sake, for that were against the sense of nature, but he wished it to be with Christ.[24] Now, besides that (by his leave) we may desire many things which are against the sense of nature, to grant that we may wish death to be in heaven (though Peter Martyr, before alleged, be of the same persuasion) is a larger scope, and somewhat more dangerous and slippery a grant than we urge towards, because herein only the interest and good of the party seem to be considered. And yet Emmanuel Sa extends it farther, that we may wish sickness to one for his correction, and death for the good of the state, yea, to our enemy which is like to do us much harm, for avoiding this, our particular damage, and we may rejoice at his death, even for that respect of our own delivery.[25] All which will hold as well, if we be urged with like reasons, to wish it to ourselves.

To conclude, therefore, this point, that it may become lawful to wish our own death, I will only relate an history which, though it be but matter of fact (if it be so much), yet it is of such a person as his acts govern and persuade, with very many, as far as rules. In the life of Philip Nerius, who in our age instituted the last religion approved and established in the Church of Rome, we read that he, being entreated, as he was

[21] Sylvester, verbo "Martyrium."

[22] Navarre, *Manuale*, cap. 15, n. 11.

[23] Philippians 1:23.

[24] In II Cor. 5:1 (Marlorate).

[25] Emmanuel Sa, *Aphorismi confessariorum*, verbo "Caritas."

3348 impatiency] Impatience *M*
3353 may] *omit M*
3356 may] *omit Q*
3362 extends] entends *M* farther] furder *M*
n.22 11] 16 *M*

ordinarily in like desperate cases, to come to one Paulus Maximus, a youth of fourteen, who was then ready to expire his soul by sickness, before he could perfect his sacrifice and the office which he had begun before the message came to him, the young man died. When he had been dead about half an hour, Nerius came, and after he had used some loud exclamations, the youth revived again, looked up, and talked in secret with Nerius a quarter of an hour. The discourse ended, Nerius gave him his choice, whether he would live or die; and when the boy wished death, he gave him leave to die again.[26]

Now, though it were a greater miracle than any in that book, if any man should believe all that are in it, for in it are attributed to Nerius stranger things than the *Book of Conformities* imagined in St. Francis[27] (for I believe that author purposed only, like Xenophon, or Plato, or Sir Thomas More, to ideate and form, than to write a credible history, though Sedulius have defended it with so much earnestness of late[28]), yet thus much is established out of this, whether fable or history, that their opinion who authorized this book is that it was lawful in Maximus to wish his own death, since a man of so much sanctity as Nerius did approve and second and accomplish that option of his.

(5) The next species of homicide in Tolet's division is permission, which, when it is toward ourselves, is by the schoolmen usually called desertion or dereliction, and *mors negativa,* of which I perceive not any kind to be more obnoxious or indefensible than that which is so common with our delin-

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[26] *Vita Philippi Nerii,* fol. 284.

[27] *Liber conformitatum Francisci et Christi.*

[28] Sedulius Minorita, *Adversus Alcoranum Franciscanorum.*

3389 author] Authuor *Q*
3394 authorized] authorise *M*
3397 option] opinion *Q*
3399 which . . . ourselves] *dittography M*
3402 than] y^t *M*
n.26 *Vita . . . Nerii*] *omit M*
n.27 *Omit M*
n.28 *Omit M*

quents, to stand mute at the bar. And though civil laws (which are often enforced to choose of two evils the least, that is to say, the least hurtful to civility and society, and must admit sometimes particular mischief rather than a general inconvenience) may excuse this, yet since out of the law of conscience, which can in no case come to be so entangled and perplexed that it can be forced to choose anything naturally evil, no man hath as yet, to my knowledge, impugned this custom of ours, it seems to me that as well our church as our state justifies this desertion of ourselves, and this for so low and worldly a respect as the saving of our temporal estate, or escaping the ignominy of another death.

But that we may the better discern the limits, how far these omissions and desertions and exposings of ourselves are allowed us, first I must interpret one rule, that charity begins with itself, to be understood only in spiritual things.[29] For I may not do a sin to save (in the language of schoolmen) the goods, or honor, or life of the pope; but for temporal things, I must prefer others before myself, if a public profit recompense my private damage. I must also lay down another rule, that, as for myself, so for my neighbor, whom I am bound to love as myself, I may expose goods to safeguard honor, and honor for life, and life for spiritual profit.[30] And to these I must join a third rule, that no man is at any time enforced to exercise his privilege;[31] for the written law every man is bound to know, but privileges and exemptions from that law he may be excusably ignorant of, and in such ignorance transgress them.[32] Hereupon, it is safely inferred that, though every man have naturally this privilege, to resist force with force, and be authorized by that to lay violent hands even upon the pope's life, as Gerson exemplifies,[33] or upon the emperor's, as Acacius,

[29] Soto, *De tegendo secretum,* memb. 1, q. 3.

[30] Navarre, *Manuale,* [cap. 15, n. 5].

[31] *Summula* Maldonatis, q. 14, a. 6.

[32] Acacius, *De privilegiis iuris,* lib. 1, cap. 9.

[33] Gerson.

3428 be excusably] excusably be *M*

n.29 *secretum*] *saeret Q*

n.33 *Omit M*

when either of them exceeds the limits of their magistracy[34] (for then the party becomes the deputy and lieutenant to nature, which is a common and equal sovereign to them all), yet I may waive this benefit, if I will, and even by a thief I may suffer myself to be killed, rather than kill him in that mortal sin, which our countryman Sayre holds as the common opinion from Sotus, Navarre, Cajetan, and many others.[35] And none that I have seen excepts to it, in any other person than a soldier, or such as hath the lives and dignities of others so enwrapped in theirs as they cannot give away themselves but by betraying others. And this desertion seems to be of natural reason, because it is to be found in all laws, for even in the *Alcorum* we read, *Vindicans non est reus, patiens tamen optime facit.*[36]

And our law which, if a man kill another in his own necessary defense, punishes him with loss of goods, and delivers him from death not by acquittal, but by way of pardon, seems to me to pronounce plainly that it is not lawful to defend my life by killing another, which is farther than any of the others went. And when I compare our two laws—that if I defend myself I am punished, and the other before mentioned, that if I kill myself I am punished in the same manner and measure—they seem to me to be somewhat perplexed and captious.

And as I may depart from my natural privilege of defending myself, so I may abstain from any extrinsic or accessory help which is casually, or by providence (if God reveal not His will therein) presented unto me, for a man condemned to death is not bound in conscience to redeem his life with money,

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[34] Acacius, *De privilegiis,* lib. 1, cap. 8.

[35] Sayre, *Thesaurus casuum conscientiae*, lib. 7, cap. 9, n. 19.

[36] *Alcoranum,* azoara 52.

3435 the deputy] a deputy *M*
3436 a] *omit M*
3440 others] other *M*
3448 punishes] punisheth *M*
3457 as] as if *M*
3458 abstain] obtain *Q* any] my *M*
n.35 19 *Ed.*] 17 *Q M*

though by the law of the place he might do it.[37] And though St. Thomas say that he which is condemned to die kills himself if he apprehend not an opportunity to escape by flight when it is presented, and likewise if he refuse meat when he is condemned to be famished,[38] yet the whole stream is against him: Sotus, Navarre, Cajetan, and Sayre.[39] And Navarre adds that in these days (and yet now it is not so likely to be *symbolum idolotricae pravitatis*), a man is bound rather to famish than to eat meat offered to idols. And therefore they say that Aquinas his opinion, that a man is bound to use his privilege for safeguard of his life, is only true then, when he doth not waive it for some end better and worthier than our natural life, of which sort all spiritual advantages are. So that in such cases, they all agree, we may abandon and forsake ourselves.

And we may step farther yet in this desertion, for we may offer ourselves for the good of our neighbor. For the temporal life cannot be more precious than our soul, which in rigor is murdered by every sin consented unto. Yet Chrysostom says no praise is enough to give Sarah for consenting to lie, and to submit herself to adultery, for salvation of her husband's life.[40] I know St. Augustine is earnest against this, but his earnestness is upon the matter of fact, for he denies that either Abraham or Sarah consented to any sin.[41] But when he disputes *de iure* whether Sarah, by Abraham's consent, might expose herself to save his life, and is much troubled with the example of one which was prisoner for debt to the state under Acin-

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[37] Emmanuel Sa, *Aphorismi confessariorum*, verbo "Caritas."

[38] Aquinas, 2a2ae, q. 69, a. 4 ad 2m.

[39] Sayre, *Thesaurus casuum conscientiae*, lib. 7, cap. 9 [n. 22].

[40] Chrysostom, *Homilia 32 in Genesim.*

[41] Augustine, lib. 22 *Adversus Faustum*, cap. 33.

3470 idols] Iodolls *M*
3475 we] that we *M*
3476 farther] further *M*
3477 ourselves] our Liues *M*
3480 give] giue vnto *M*
3481 to adultery] in adultery *M*
3482 know] *omit M originally; inserted by Donne*

dynus, a prefect under Constantius, whose wife, being solicited by a rich man who would give so much as would discharge her husband to possess her one night, by her husband's consent earned his liberty in that manner, at last he leaves it indifferent for any man to think it lawful or unlawful in such a necessity, though indeed his own opinion decline from it.[42]

Bonaventure denies that, for the temporal good of another, I may offer willingly my life.[43] But he grounds it upon the same reason that Augustine doth, that we may not love another more than ourselves, which in this case we seem to do.[44] But many of the fathers—Jerome, Ambrose, and Lactantius—and many of the school, as Aquinas, Francis Victoria, Sotus, Bannes, and infinite are against him, and answer St. Augustine thus, that in that case, a man doth not prefer his friend before himself, but he prefers an act of virtue, and of friendship, as things of more spiritual nature, before his own temporal life.

But, that for the spiritual good of another a man should expose his own life is an unresisted doctrine and, as Sayre says, it is *sub praecepto*.[45] So a curate is bound to baptize and to anoint in the plague time.[46] Yea, it is an act of virtue, though not of necessity (as in the curate's case), to visit a sick man in such a time, though you be a private man, and your end be not spiritual comfort.[47]

And we may yet proceed farther, for we may lawfully dispossess ourselves of that which was before afforded us, and without which we can have no hope to sustain our lives, as, in a persecution, a private man, having food left sufficient only to sustain one man, may give it to a public person, and so perish.[48]

[42] *De sermone Domini in monte*, capp. 1 et 16.

[43] Bonaventura, lib. 3, dist. 29, q. 3.

[44] Augustine, *De mendacio*, cap. 6.

[45] Sayre, *Thesaurus casuum conscientiae*, lib. 7, cap. 9, n. 17.

[46] Emmanuel Sa, *Aphorismi confessariorum*, verbo "Caritas."

[47] Idem, verbo "Caritas."

[48] Aquinas, 2a2ae, q. 32, a. 6.

3488 under] for *M*
3490 one] own *Q*
3504 a] *omit M*
3511 farther] further *M*
n.47 Caritas *Ed.*] Ho. *Q*, homicidiū *M*

And only Sotus denies that in a shipwreck, if, after we have both been in equal danger, I catch and possess myself of anything to sustain me, I may give this to my father, or to a magistrate,[49] against the strength of Navarre, Tolet, Francis Victoria, and many others.

The farthest and uttermost degree of this desertion is inordinate and indiscreet voluntary fasting, of which St. Jerome, as it is related into the Canons, says that by such an immoderate innocence and indiscreet singing of psalms and offices, a man loseth his dignity and incurs the note of madness.[50] And upon this place, Navarre says that St. Jerome pronounceth an indiscreet fasting which shortens the life, if the party perceive that it work that effect, though it be without intention to shorten his life, and that he do it to be the better able to satisfy God, yet it is a self-homicide.[51] And he adds in another place, speaking of the same purpose, it makes no difference whether thou be long in killing thyself, or do it at once.[52]

And so Cassianus says expressly that that friar killed himself, which having vowed in his journey to eat nothing except God gave him meat immediately, refused to eat when thieves, accustomed to kill passengers by that place, came and presented him bread.[53] And yet, though he says he killed himself, he imputes nothing to him but indiscretion. And therefore, saith one, our Savior Christ exceeded not forty days in His fast, *ne sui homicida videretur.*[54] And he interprets that word "*esuriit*" that then He perceived His body to languish and suffer detriment by fasting,[55] for if He had not hungered till then, His fasting had had no virtue, so that He gave over when

[49] Sotus.

[50] *De consecratione,* Dist. 5, *Non mediocriter.*

[51] Navarre, ex dist. 5, *De consecratione.*

[52] Soto, *De tegendo secretum,* memb. 1, q. 3, ex Hieronymo.

[53] Cassiani *Collatione* 2, cap. 6.

[54] Bosquierus, *Monomachia,* concio 17.

[55] Idem, concio 18.

3526 an] *omit M*
3536 by] in *M*
n.49 *Omit M*
n.51 *Omit M*
n.54 *Monomachia,* concio] Cove. *Q*
n.55 concio] Cove. *Q*

He found the state of His body impaired by fasting. Yet, pursuing and imitating the superstition of the philosophers who taught that *dum corpus augemus mortaliores efficimur*,[56] and that *per tenuitatem assimilamur Deo*,[57] how much the writers in the Roman Church suffer, and obliquely adhort, these inordinate fasts and other disciplines, appears by that which I cited out of Clarus Bonarscius before,[58] and wheresoever they have occasion to speak thereof.

And in no one thing more than that they inculcate so often, that it was the practice of the Devil to appear to St. Francis, and cry out to him that no man which kills himself with such maceration could be saved, which Bonaventure relates in his *Life*.[59]

Whatsoever hath been done by others, they teach, we ought to exceed. And since the monks in Prester John his dominions fast strictly fifty days, and stand all that time to the chin in water,[60] since they find in Abbas Ursberg a maid that fasted two year and a half after she had received the body of our blessed Savior, and an eremite twenty-two years without receiving anything,[61] they say no fast can be too severe which is undertaken to reduce our body to a tameness; yea, though that be already perfectly effected, yet a man is bound to the fasts enjoined,[62] for fasting, without charity, doth wash away sin.[63]

By this rigor of fasting, they seem sure that our Savior watched all those forty days, because *qui dormit, prandet*.[64]

[56] Porphyrius, *De abstinentia animalium*.

[57] Idem, *De occasionibus*.

[58] Supra [p. 81].

[59] Caput [5], De austeritate.

[60] Middendorpius, *De academiis* [lib. 2], fol. 298.

[61] Lilius Gyraldus, *Dialogus* 17.

[62] Sayre, *Thesaurus casuum conscientiae*, lib. 3, cap. 7, n. 13.

[63] Azorius, *Morales institutiones*, pars 1, lib. 7, cap. 22.

[64] Bosquierus, *Monomachia*, concio 17.

3550 wheresoever] wheresoere *M*
3557 they] the *M*
3558 Prester John] Pretelon *M*
n.56 *animalium*] Anti. *Q*, Antiq. *corrected to* Animal. *by Donne M*
n.58 *Omit M*
n.63 22 *Ed.*] 33 *Q M*
n.64 *Monomachia*, concio] Coue. *Q*

And as it is not likely that Moses slept in his forty days' conversation with God, so is it unlikely that Christ did less than he. And so St. Francis is extolled by them for observing three Lents every year, which St. Jerome so much detests in the Montanists.[65] And though their ends were diverse, yet this shows that, to some ends, these enormous witherings of our bodies are allowable. Upon which reason John Baptist's austerity is so much dignified,[66] and St. Peter's feeding upon lupines,[67] and St. Matthew's living without flesh;[68] and not only the Emperor Justinian's choice, who in an extreme sickness in Lent would take nothing but herbs and salt and water,[69] but also the Carthusian Rule, by which, though it appear that flesh would save the patient's life, he may not eat it;[70] and by the *Apostolical Constitutions* (which Turrianus extols so much, that by them he confutes much of the Reformed Church's doctrine), a man must fast to death, rather than receive any meat from an excommunicate person,[71] and in another chapter, if anything be, in a case of extreme necessity, accepted from such a person, it may be bestowed in fuel, that so their alms may be burnt and consumed to ashes, but not in meat to nourish ourselves withal.[72]

So, to determine this section of desertion, since we may waive our defense which law gives by putting ourselves upon a jury, and which nature gives to repel force with force; since I may, without flying or eating when I have means, attend an executioner or famine; since I may offer my life even for another's temporal good; since I must do it for his spiritual; since I

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[65] Hieronymus, *Epistola ad Marcellinam.*

[66] Matthew 3:4.

[67] Gregorius Nazianzus, *Oratio de cura pauperorum.*

[68] Clemens Alexandrinus, lib. 2, *Paedagogus,* cap. 1.

[69] Procopius Gazaeus, lib. 1, *De aedificiis Iustiniani.*

[70] Sayre, *Thesaurus casuum conscientiae,* lib. 1, cap. 7, n. 30.

[71] Clemens, *Apostolicae constitutiones,* lib. 4, cap. 7.

[72] Ibid., cap. 9.

3570 it] *omit M*
3572 three] those *M*
3586 a] *omit M*
3587 fuel] full *Q*

may give another my board in a shipwreck, and so drown; since I may hasten my arrival to heaven by consuming penances: it is a wayward and unnoble stubbornness in argument to say still, I must not kill myself but I may let myself die, since, of affirmations and denials, of omissions and committings, of enjoining and prohibitory commands, ever the one implies and enwraps the other. And if the matter shall be resolved and governed only by an outward act, and ever by that; if I forbear to swim in a river and so perish, because there is no act I shall not be guilty; and I shall be guilty if I discharge a pistol upon myself which I knew not to be charged, nor intended harm, because there is an act. Of which latter opinion Mariana the Jesuit seems to be,[73] as we shall have occasion to note in the next member and species of homicide, which is assistance.

(6) But before we come to that, we must, though it be not, nor naturally could be, delivered in Tolet's division, consider another species of homicide, which is mutilation or maiming. For though in civil courts it be not subject to like penalty, yet if it be accompanied with the same malignity, it is in conscience the same sin, especially towards ourselves, because it violates the same reason, which is that none may usurp upon the body over which he hath no dominion.

Upon which reason it is also unlawful for us to deliver ourselves into bondage (which I mention here because it ariseth from the same ground, and I am loath to afford it a particular section). Yet holy Paulinus, a confessor, and Bishop of Nola, than whom I find no man celebrated with more fame of sanctity and integrity, to redeem a widow's son delivered himself as a slave to the Vandals, and was exported from Italy to Afric,[74] and this, as I think, when he was necessary to that

[73] Mariana, *De rege,* lib. 1, cap. 7.

[74] Baronius, *Martyrologium,* Iunii 22.

3601 enjoining] enioying *M*

3612 naturally could] could naturally *M*

3624 a] a a *Q*

place, being then their bishop, for that was but five years before his death.

But to return to mutilation, it is clear by the Canons that towards irregularity it works as much, and amounts as far, to have maimed as to have killed.[75] And in a council at London, *anno* 1075, one canon forbids a clergyman to be present at judgment of death, or of mutilation.[76] And amongst the *Apostles' Canons*, this is one: He that gelds himself cannot be a clerk, because he is an homicide of himself and an enemy to God's creature,[77] and to geld is to maim, in our law.[78] So in the next canon it is said, a clerk which gelds himself must be deposed, *quia homicida sui*,[79] and a layman must for that fault be excommunicated three years, *quia vitae suae posuit insidias*.[80] It was therefore esteemed equivalent to killing.

And Calvin esteemed it so heinous that he builds his argument against divorce upon this ground, God made them one body, and it is in no case lawful for a man to tear his own body.[81] But if this be so lawful as divorces are lawful, certainly this peremptory sentence against it must admit some modification.

Without doubt, besides the examples of holy men who have done it to disable themselves from taking the burden of priesthood, of which St. Mark the Evangelist was one, who to that end cut off his thumb;[82] and besides that, as our Savior said, many should geld themselves for the kingdom of heaven,[83]

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[75] *Tabula Parisii irregularitatum.*

[76] Binius, tom. 3, pars 2, fol. 1280.

[77] *Canones apostolorum*, canon 22.

[78] Stanford, *Plees del coron.*

[79] Canon 23.

[80] Canon 24.

[81] Calvin, in Matth. 19:4 (Marlorate).

[82] Hieronymus, *Prologus in Marcum.*

[83] Matthew 19:12.

3627 for that] for it *M* years] yeare *M*
3639 years] yeare *M*
3650 to] *omit M*
n.75 *Tabula*] *Tabulae M*
n.76 3 *Ed.*] 2 *Q M*
n.77 22 *Ed.*] 21 Q M
n.79 23 *Ed.*] 22 *Q M*
n.80 24 *Ed.*] 23 *Q M*

so Athenagoras, 150 years after Christ, says that many did practice it,[84] it is doubted by none but that a man, unjustly detained to a certain execution, may cut off that limb by which he is tied, if he have no other way escape; or, being encompassed with dogs, he may cut off a hand and cast it to them, to entertain them while he escape.[85]

(7) The last species of homicide on this side the last act is an actual helping and concurrence to it. And every step and degree conducing purposely to that end is as justly by judges of consciences called homicide, as Ardoynus, reckoning up all poisons which have a natural malignity and affection to destroy man's body, forbears not a flea, though it never kill, because it endeavors it, and doth all the hurt it can, and he is diligent in assigning preservatives and restoratives against it.[86] And so, to that Amalekite which told David he helped Saul to die when he found him too weak to pierce himself, David pronounced judgment of death, for, saith he, "Thine own mouth hath confessed that thou hast killed the Lord's anointed."[87]

Certainly, Mariana the Jesuit, whom I named before, esteems this actual concurrence to one's death as heavy as the act itself, yea, as it seems, though the party be ignorant thereof. For after he concluded how an heretical king may be poisoned, he is diligent in this prescription, that the king be not constrained to take the poison himself, but that some other may administer it to him; and that, therefore, it be prepared and conveyed in some other way than meat or drink, because else, saith he, either willingly or ignorantly, he shall kill himself.[88]

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[84] *Oratio vero Antonino et Commodo [et] philosophis.*

[85] Sayre, *Thesaurus casuum conscientiae*, lib. 7, cap. 9 [n. 34].

[86] Ardoynus, *De venenis*, lib. 8, cap. 20.

[87] II Samuel 1:16.

[88] Mariana, *De rege*, lib. 1, cap. 7.

3653 but that] but *M*
3655 encompassed] compassed *M*
3657 while] whilst *M* escape] escapes *M*
3661 reckoning] recknoning *Q*
3665 and restoratives] *omit M*
3666 that] the *M*
3667 him] *omit M*

So that he provides that that king who must die under the sins of tyranny and heresy must yet be defended from concurring to his own death, though ignorantly, as though this were a greater sin.

Since, therefore, this hastening of our death by such an act is the same as the entire self-homicide, let us consider how far irreproved custom and example and law doth either allow or command it. For that it is allowable, it seems to me some proof, that before any man accuses him, a malefactor may go and declare his fault to the judge.[89]

Though amongst Italian relations, that in Sansovin concerning England have many marks and impressions of malice, yet of that custom which he falsely says to be observed here, that men condemned to be hanged are ever accompanied to their executions by all their kindred, who then hang at their feet to hasten their end, and that when a patient is abandoned by the physicians, his nearest kinsman strangles him with a pillow,[90] of this, I say, that author had thus much ground, that ordinarily at executions, men, out of a charity, as they think, do so, and women which are desperate of sick persons' recovery use to take the pillow from under them, and so give them leave to die sooner. Have they any more the dominion over these bodies than the person himself? Or if a man were able to do these offices to himself, might he not do it? Or might he not, with a safe conscience, put so much weights in his pockets as should countervail their stretchings? I speak but comparatively: might not he do it as well as they?

For to my understanding, such an act, either in executioner or bystander, is no way justifiable, for it is both an injury to the party, whom a sudden pardon might redeem, and to the jus-

[89] Sotus, *De tegendo secretum*, memb. 1, q. 3.

[90] Sansovinus, *De governo*.

3687 accuses] accuseth *M*
3693 executions] Execution *M* kindred] kinred *Q*
3697 a] *omit M*
3706 in] in an *M*
3707 to] unto *Qa*
n.90 *governo*] *Gover. Q, Governi. M*

tice, who hath appointed a painful death to deter others. The breaking of legs in crucified men, which was done to hasten death, was not allowed but upon petition.[91] And the law might be much defrauded if such violence might be used where the breaking of the halter delivered the prisoner from death, as in some places it doth. And good opinions concur that it is to do, ever without doubt, whatsoever is for ease or escaping painful passage out of this life;[92] in such cases, a man may more allowably do by his own act than a stranger may, for law of nature inclines and excuses him, but they are by many laws forbidden to hasten his death, for they are no otherwise interested in it than as parts of the whole body of the state, and so it concerns them that justice be executed. Yet we see, this and the other, of withdrawing the pillows, is ordinarily done, and esteemed a pious office.

The Athenian executions were ever by the hand of the offender in judgments of poison. And in that law of purgation assigned by God to ease a man on whom the spirit of jealousy was come, the woman was to take the water of curses and bitterness, which should make her infamous, and her belly swell, and her thighs to rot.[93] And those forms of purgation which were called *vulgares* lasted long, even in the church, for there is nothing extant against them till Stephen V, *anno* 885.[94] And not only Charles the Great, in whom the church acknowledged piety enough, induced one form severer than the rest, which was to walk upon nine burning harrows,[95] but Britius, a bishop, being but calumniated by the people, extrajudicially, to have got his laundress with child, after his innocence had

[91] John 19[:31].

[92] Lucas de Penna, lex 1 tituli De desertoribus et occultatoribus eorum; Iohannes de Ant., *Soliloquia* 5; Optinellus in D. leg. Imperium.

[93] Numbers 5[:12].

[94] 2, q. 5, *Consuluisti.*

[95] Tholosanus, *Syntagma,* lib. 48, cap. 15, n. 7.

3718 excuses] excuseth *Qa*
3721 concerns] concerneth *Qa*
3732 acknowledged] did acknowledge *Qa*
3733 severer] more severe *Qa* the] the the *Qa*
3736 got] gotten *Qa* innocence] innocency *Qa*

prevailed so far with God that the child of thirty days' age, being adjured in the name of Christ, had acquitted him, did not admit, but chose and extort a form of purgation, to carry burning coals upon his head.[96] With us, both the species of *ordalium* lasted evidently till King John's time, and though into that of boiling water men were forced to go, yet that was but for the meaner sort; but to carry the three-pound weight of red-hot iron, which was for the purgation of the persons of better quality,[97] was an act as all the former were, in which a man must of necessity do something actually himself, and be the executioner of his own judgment, which, as long as these forms of purgation, and the other, by battle, were lawful, was lawful also to be done.

And in St. Dorotheus, who everywhere professes a love to that obedience which himself calls indiscreet, you shall read many praises given to men who did not only forsake themselves, but actually further their destruction, though not effectually, which makes no difference if it be in dangers which usually men escape not.

He praiseth one friar who, being by his abbot commanded to return that night, the waters being risen, committed himself to a raging torrent in such an obedience; and another who, being bid by his abbot to go into the town, where he doubted he should fall into some temptation by some spectacle, went, but with this protestation, that he hoped not in the protection

[96] Gregorius Turonensis, *Historia Francorum*, lib. 2, cap. 1.

[97] Lambert, *De legibus priscis Anglorum*.

3741 though] although *Qa*
3750 professes] possesses *M*
3751 obedience] obdience *Qa* calls] calleh *Qa*
3754 makes] maketh *Qa*
3755 usually men] men usually *Qa*
3756 praiseth] prayses *M*
3757 night] *omit M*
3758 to] unto *Qa*
3761 that] that that *Qa*
n.96 *Francorum*] *Fraucor. Qb*

of God, but in him who sent him.[98] But the most natural to our present purpose is this, that a holy old man, seeing his servant mistake poison for honey and put it into his broth, ate it nevertheless without chiding; and when the servant perceived it and exclaimed, "Sir, I have killed you!" answered, "It is all one, for if God would have had me eat honey, He would have directed thy hand to honey."[99]

Of the holiness of Joseph of Arimathea we have testimony enough, who, being sent by the apostles to preach the Gospel, amongst other persecutions was constrained to drink poison,[100] in which there must of necessity be such an act as we dispute of now. How much did St. Andrew contribute to his own crucifying? How much St. Lawrence to his broiling when he called to the tyrant, "This side is enough; turn the other, and then eat"?[101] *Magni quod faciunt, praecipiunt,* says Quintilian.[102] And these acts, of men otherwise esteemed holy, may ever be good warrants and examples to us, when the cause is not prejudged by any greater authority, as Scripture or councils, nor that very act accused by any author.

But to stay no longer upon examples, amongst casuists I observe the greater number to deny that it is lawful for a man condemned to do the last and immediate act conducing to death, as the drinking of poison. But the acts somewhat more removed, they agree he may do, and even this act of drinking poison, Francis à Victoria defends to be lawful;[103] so that

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[98] B. Dorotheus, *Doctrina* 1, De renunciatione.

[99] Idem, *Doctrina* 7, De accusatione sui ipsius.

[100] *Supplementum chronicarum,* anno Christi 34.

[101] Navarre, *Manuale,* cap. 21, n. 25.

[102] *Controversia* 3.

[103] *Relectio de homicidio,* n. 36 in responsionem ad 8.

3766 is] *omit Qa*
3776 says] saith *Qa*
3778 examples] example *M*
3781 amongst] among *Qa*
n.100 anno] 40 *Qa* 34 *Ed.*] 33 *Qa Qb M*
n.101 25] 28 *Qb*
n.103 36 *Ed.*] 30 *Qa Qb M*

amongst them it is not clear but that a man may do it. Yea, in very many cases, it is not only lawful to do as much, without any condemnation, but it is necessary and, by their rules, sinful to omit it. For curates must go to infected houses to minister the sacraments; and if a priest enter a wood where three wait to kill him, and one of them, repenting that purpose, meet him and, by way of confession *sub sigillo,* discover the fault, the priest is bound to go forward to a certain death into the wood, rather than, by returning, to let the others know that he knew it by confession.[104] So peremptory is their doctrine, however their practice be, against revealing confessions.

And though perchance this seem a wanton case, framed upon impossible concurrences, as Soto esteems of it,[105] yet the reason may have use: that though self-preservation be divine natural law, and the seal of confession but divine positive law, yet because circumstances are not alike, in this a public good shall be preferred before his private life. So that we may do some acts ourselves which conduceth probably, yea, certainly, as far as human knowledge can reach, to our destruction, which is the nearest step to the last act of doing it entirely ourselves.

(8) Of which last act, as we spoke whilst we considered the law of nature, and must again when we come to understand those places of Scripture which seem to aim towards it, so, before we conclude this part, of the law of reason, we may fitly present such deductions, comparisons, and consequences as may justly seem, in reason, to annihilate or diminish this fault. Of which, because most will be grounded either upon the conscience of the doer or upon the church's opinion of the fact when

[104] Sayre, *Summa sacramenti poenitentiae,* cap. 32.

[105] *De tegendo secretum,* memb. 3, q. 4.

3787 amongst] among *Qa*
3794 into] in *M* the] a *Qb*
3799 upon] on *Qa*
3804 conduceth] conduce *M*
3808 whilst] when *M*

it is done, we will only consider how far an erring conscience may justify any act, and then produce some examples of persons guilty of this, and yet canonized by the church by admission into the martyrologe and assigning them their feasts, and offices, and vigils, and like religious celebrations.

Therefore, to make no use of Pythagoras' example, who, rather than he would offend his philosophical conscience and either tread upon the beans himself or suffer his scholars to speak before their time, delivered up himself and forty of them to his enemy's sword;[106] and to avoid the ambages and multiform entanglings of schoolmen herein, we will follow that which is delivered for the common opinion, which is that not only a conscience which errs justly, probably, and *bona fide,* that is, after all moral industry and diligence hath been used (yet I mean not exquisite diligence, but such as is proportional to the person and his quality, and to the knowledge which that man is bound to have of that thing at that time), is bound to do according to that misinformation and the mispersuasion so contracted; but also, if it err negligently, or otherwise viciously and *mala fide,* as long as that error remains and resides in it, a man is bound not to do against his conscience.[107] In the first case, if one in his conscience think that he ought to lie to save an innocent, or that he ought to steal to save a famished man, he is a homicide if he lie not or steal not. And in the second

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[106] Diogenes Laertius, lib. 8.

[107] Azorius, *Institutiones morales,* pars 1, lib. 2, cap. 8.

3817 persons] persous *Qb*
3819 them] to them *Qa*
3821 Pythagoras'] Pythagorus *Qb*
3823 upon] on *Qa*
3824 them] his schollars *Qa*
3826 entanglings] entangling *Qb*
3828 which errs] that erreth *Qa*
3830 proportional] proportionable *Qa*
3833 the] *omit Qb M*
3837 think] thinks *Qa*
3839 not or] and *M*

case, though he be not bound to any act, yet it is lawful to him then to omit anything necessary otherwise.

And this obligation which our conscience casts upon us is of stronger hold and of straiter band than the precept of any superior, whether law or person, and is so much *iuris naturalis* as it cannot be infringed nor altered *beneficio divinae indulgentiae,* to use their own words; which doctrine, as it is everywhere to be gathered amongst the casuists, so is it well collected and amassed and argued and confirmed especially by Azorius.

If then, a man, after convenient and requisite diligence, despoiled of all human affections and self-interest, and *sancto bonae impatientiae igne exardens* (as Paulinus speaks[108]), do in his conscience believe that he is invited by the spirit of God to do such an act as Jonas, Abraham, and perchance Samson was, who can by these rules condemn this to be sin?

And therefore I doubt there was some haste and precipitation in Cassianus his judgment,[109] though otherwise a very just esteemer and valuer of works of devotion and obedience, who pronounces that that apparition of an angel to Hero, an eremite, after fifty years' so intense and earnest attending of God's service and religious negligence of himself (that he would scarce intermit Easter day from his strict fasting)—and being now *victoriarum conscientia plenus,* as the panegyric says[110]—was an illusion of the Devil, to make him destroy himself. Yet

[108] *Epistola* 3, Severo, lib. 1.

[109] Cassiani *Collatione* 2, cap. 5.

[110] Nazarius Constantino.

3840 to him] in him *M*
3847 amongst] among *Qb*
3848 and argued] and and argued *Qb*
3850 convenient and requisite] requisite & convenient *M*
3852 speaks] sayth *Qa*
3853 his] *omit Qa*
3857 very] *omit Qa*
3859 pronounces] pronounceth *Qa* that that] that *Qa*
3862 intermit] admit *M*
n.108 3] *omit M*
n.110 Constantino *Ed.*] Constantio *Qa Qb M*

Hero, being drawn out of the well into which he had cast himself, and living three days after, persisted in a devout acknowledgment that it was the spirit of God which solicited him to that, and died in so constant an assurance and alacrity, that Paphnutius the abbot, though at first in some suspense, did not number him *inter biothanatos*, which were persons reputed viciously to have killed themselves.

Nor may it be necessarily concluded that this act was therefore evil if it appeared to be from the Devil; for Wierus tells us of a maid whom the Devil persuaded to go such a pilgrimage, and at such an altar to hear a mass for recovery of her health.[111] Certainly, if, as Vasquez holds, it be not idolatry to worship the Devil in an apparition which I think to be God,[112] it can be no offense to believe him after I have used all means to discern and distinguish. For not only those rules which are delivered ordinarily to know him by are apparently false, which are a difference in his hands or feet, or some notable deformity by horns or a tail, of which Binsfeldius seems confident of the first,[113] and Menghi of the second.[114]

But that rule that God always infuseth or commands good things, if it be understood of that which is good in the common and natural course, is not always safe, for it held not in Abraham, nor the Israelites' case. Therefore, though Vasquez his first excuse, that such a worship is not idolatry because, by reason of our immediate relation to God, we never arrest nor stop upon the Devil by the way, will do no good in our case of believing, yet his other will, which he hath in the same place,

[111] Wierus, lib. 4, cap. 14.

[112] Vasquez, *De adoratione*, lib. 3, disp. 1, cap. 5.

[113] Binsfeldius, *De confessionibus sagarum*, fol. 67.

[114] Menghi, *Fustis daemonum*, cap. 8.

3865 Hero] he *M*
3870 *biothanatos*] *biathanatos Qa Qb*
3872 be necessarily] necessarily be *Qa*
3876 holds] hold *Qa*
3879 and] and to *Qa*
3882 Binsfeldius] Binfeldius *Qa*, Benfeldius *M*
n.111 4 Ed.] 5 *Qa Qb M* 14] 1 *Qa*
n.113 *Omit M*
n.114 *Omit M*

that there may be an invincible ignorance, and that in that, any exterior act whatsoever, proceeding from a sincere and pure intention of the mind, is an act of true religion. For safelier than the panegyric could say to Constantine, *sua cuique prudentia Deus est,*[115] may we say of every man's conscience thus rectified.

If, therefore, they will still turn in their circle, and say God concurs to no evil, we say nothing is so evil but that it becomes good if God command it, and that this is not so naturally evil that it requires a special commission from God; but, as it becomes good if He commands it, so it becomes indifferent if He remove the reasons with which the precept against it was conditioned. If they return to St. Augustine's two reasons against Donatus, whereof the first was *we have authority to save thy body against thy will,* and the second *none of the faithful ever did this act,*[116] we are thereby hastened to the other consideration, how they which have done it have been esteemed of by the Catholic Church.

But to speak a little in passing of St. Augustine's second reason—for the first hath very little force, since, though it may be lawful to preserve a man willing to die, yet it is not always of merit, nor obligatory; and therefore Ignatius doth so earnestly dehort the Romans from endeavoring to succor him;[117] and *corona civica,* which was given to any which had rescued a citizen in the wars, was not given, though he produced witnesses of the fact, except the person so rescued confessed that he received a benefit thereby[118]—why doth St. Augustine refer Donatus in that second reason to examples? For if Donatus had produced any—as out of credible and authentic history he might very many, and out of Scriptures canonic in St. Augus-

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[115] Incertus Constantino.

[116] Supra [p. 101].

[117] Ignatius, *Epistola ad Romanos.*

[118] Antonius Augustinus, Episcopus Tarraconae, *De legibus romanis,* cap. 44.

3902 commands] command *M*
3908 consideration] considerations *M*
3919 that] his *M*
n.116 *Omit M*

tine's opinion,[119] he might have alleged the example of Eleazar and of Razis—St. Augustine was ever provided for this retreat, that it was a special inspiration, and not to be drawn into consequence or imitation.

Had it been a good argument in Rome for 500 years that divorce was not lawful because no example was of it?[120] Or almost for two thousand that a woman might not sue it against her husband because till Herod's daughter there was no example of it?[121] But now, when the church hath thus long persevered in not only justifying, but solemnizing many examples hereof, are not St. Augustine's disciples guilty of the same pertinacy which is imputed to Aristotle's followers who, defending the heavens to be inalterable because in so many ages nothing had been observed to have been altered, his scholars stubbornly maintain his proposition still, though by many experiences of new stars, the reason which moved Aristotle seems now to be utterly defeated?[122]

Thus much being spoken by the way of St. Augustine, and having purposely seposed the examples recorded in the Scriptures for our third part, we will consider some examples registered in the ecclesiastic history.

The church, whose dignity and constancy it becomes well that that rule of her own law be ever justly said of herself, *Quod semel placuit amplius displicere non potest*[123] (where new reasons do not interpose), celebrates upon the ninth of February the birth, that is, the death, of the virgin and martyr Apollonia, who, after the persecutors had beat out her teeth and vexed her with many other tortures, when she was pre-

[119] *De civitate Dei,* lib. 18, cap. 36, et lib. 1 *Contra Gaudentium,* cap. 31.

[120] Aulus Gellius, lib. 4, cap. 3.

[121] Serarius, *De rabbinis et Herodibus* [lib. 3], cap. 17.

[122] Kepplerus, *De stella Serpentarii,* cap. 26.

[123] *Sextus,* regula iuris [21], *Quod semel.*

3922 example] examples *M* of Eleazar] Eleazar *Q*
3941 for] for, for *M*
n.119 36 . . . 1 . . . 31 *Ed.*] 38 . . . 2 . . . 23 *Q M*
n.122 26 *Ed.*] 23 *Q M*
n.123 *Sextus*] in 6° *M*

sented to the fire, being inflamed with a more burning fire of the Holy Ghost, broke from the officers' hands and leapt into the fire.[124] For this act of hers, many advocates rise up for her, and say that either the history is not certain (yet the authors are Beda, Usuardus, Ado, and, as Baronius says, *latinorum caeteri*), or else, says Sayre, you must answer that she was brought very near the fire and as good as thrown in, or else that she was provoked to it by divine inspiration.[125] But, but that another divine inspiration, which is true charity, moved the beholders then to believe, and the church ever since to acknowledge, that she did therein a noble and Christian act, to the special glory of God, this act of hers, as well as any other, might have been calumniated to have been done out of weariness of life, or fear of relapse, or haste to heaven, or ambition of martyrdom.

The memory of Pelagia, as of a virgin and martyr, is celebrated the ninth of June.[126] And though the history of this woman suffer some perplexity and give occasion of doubting the truth thereof (for Ambrose says that she and her mother drowned themselves, and Chrysostom that they flung themselves down from a housetop; and Baronius saw this knot to be so hard to untangle that he says, *Quid ad haec dicamus non habemus*), yet the church, as I said, celebrates the act, as though it were glad to take any occasion of approving such a courage in such a cause, which was but preservation of chastity.

Their martyrdom, saith St. Augustine, was ever in the Catholic Church frequented *veneratione celeberrima*.[127] And St. Ambrose, when his sister Marcellina consulted him directly upon the point, what might be thought of them who kill themselves in such cases (and then it is agreed by all, that the opinions of the fathers are especially to be valued when they

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[124] Baronius, *Martyrologium*.

[125] Sayre, *Thesaurus casuum conscientiae*, lib. 7, cap. 9, n. 11.

[126] Baronius, *Martyrologium*.

[127] Augustine, *De civitate Dei*, lib. 1, cap. 26.

3960 special] especiall *M*
3962 calumniated] columni̲ated *M*
3965 ninth] 9 *M*
3970 *haec*] *hac Q*
n.125 7 . . . 9 *Ed.*] 9 . . . 7 *Q M*

speak of a matter not incidentally or casually, but directly and deliberately), answers thus: we have an example of such a martyrdom in Pelagia. And then he presents her in this religious meditation: "Let us die if we may have leave, or if we be denied leave, yet let us die. God cannot be offended with this, when we use it but for a remedy, and our faith takes away all offense. Here is no difficulty; for who is willing to die and cannot, since there are so many ways to death? I will not trust my hand, lest it strike not home, nor my breast, lest it withdraw itself; I will leave no escape to my flesh, for we can die with our own weapons, and without the benefit of an executioner." And then, having dressed herself as a bride, and going to the water, "here," says she, "let us be baptized; this is the baptism where sins are forgiven, and where a kingdom is purchased, and this is the baptism after which none sins. This water regenerates, this makes us virgins, this opens heaven, defends the feeble, delivers from death, and makes us martyrs. Only we pray to God that this water scatter us not, but reserve us to one funeral." Then entered they as in a dance, hand in hand, where the torrent was deepest and most violent. And thus died, as their mother upon the bank called them, these prelates of virginity, captains of chastity, and companions in martyrdom.[128]

And before Ambrose, we find Eusebius to have been of the same persuasion, who thus produces the mother encouraging them: You know how I have brought you up in the fear of God; and shall your nakedness, which the public air hath not had leave to see, now be prostituted in the stews? Have not so little faith in God as to fear death. Despise not chastity so much as to live with shame. But with a pure and chaste death, condemn this world. And so, deluding their keepers as though they withdrew for natural necessities, they drowned themselves.[129]

[128] *De virginibus*, lib. 3.

[129] Eusebius, *Ecclesiasticae historiae*, lib. 8, cap. 12.

3993 purchased] purchs'd *M*
n.129 12 *Ed.*] 4 *Q M*

All authors of that time are so profuse in the praise of this fact, that it is just to say thereof, as Pliny says of Nerva's adopting Trajan, it was impossible it should have pleased all when it was done, except it had pleased all before it was done.[130] For no author that I have lighted upon diminished the glory of these and such other, until St. Augustine, out of his most zealous and startling tenderness of conscience, began to seek out some ways how these self-homicides might be justified, because he doubted that this act naturally was not exempt from taxation. And yet ever he brings himself to such perplexity, as either he must discredit and call in question the authority of a general consonance of all times and authors, or retire to that poor and improbable defense, that it was done by divine instinct, which can very hardly be admitted in this case, where not their religion, but only their chastity, was solicited and attempted. Nor can St. Ambrose or Eusebius be drawn to that opinion of especial divine instinct, because, speaking *ex animo*, though in the mother's person, they incite them to it with reasons from moral virtues.

Yet St. Augustine's example, as it prevails very much (and very justly, for the most part), hath drawn many others since to the like interpretation of the like acts. For when the Kingdom of Naples came to be divided between Ferdinand V and Louis XII, the French army being admitted into Capua upon condition to do no violence, amongst many outrages, a virgin, not able to escape the fury of a licentious soldier, offered for ransom to lead him to treasure, and so took advantage of a place in the wall to fling herself into the river; which act, says Pedraza, we must believe to be done by divine inspiration, because God loves chastity now as well as ever he did.[131] Which escape

[130] Pliny, *Panegyricus Traiano* [8].

[131] Pedraza, *Casos de conscientia*, quinto praecepto, hispanica editione.

4022 discredit] defend it *Q*
4025–28 which . . . instinct] *omit M*
4029 they] he *M*
4035 Capua] Capna *M*
4038 advantage] y^e advantage *M*

every side may find easy, if, being pressed with reason, they may say as Peter Martyr doth of the Egyptian midwives, and of Rahab, and such: if they did lie, they did it *impulsu Dei.*[132]

But, as our custom hitherto hath been, let us depart from examples to rules, though concurrence of examples and either an express or interpretative approbation of them, much more such a dignifying of them, as this of the whole church and of Catholic authors approved by that church, be equivalent to a rule. And to ease the reader, and to continue my first resolution of not descending into many particulars, I will only present one rule, but so pregnant that from it many may be derived, by which not only a man may, but must, do the whole and entire action of killing himself: which is to preserve the seal of confession.

For though the rule in general be that, if a spider fall into the chalice, the wine may be changed, because *nihil abominabile debet sumi occasione huius sacramenti,*[133] and so it may if the priest, after consecration, come to the knowledge that the wine is poisoned, *ne calix vitae vertatur in mortem,*[134] yet if he know this by confession from his assistant or any other, and cannot, by any diversion nor disguise, escape the discovering that this was confessed to him, without drinking it, if it be poison, he must drink it.[135]

But because men of more abundant reading, active discourse, and conclusive judgment will easily provide themselves of more reasons and examples to this purpose, it shall satisfy me to have awakened them thus much, and showed them a mark to direct their meditations upon. And so I may proceed to the third part, which is of the law of God.

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[132] In Iudicibus 3.

[133] Ioannes de Lapide, *Casus missales,* cap. 7, a. 5.

[134] Ibid.

[135] Sotus, *De tegendo secretum,* memb. 3, q. 4.

4042 if] of *M*
4045 hitherto] euer *M*
4053 must] most *M*
4061 nor] or *M*
4068 meditations] Meditation *M*
n.133 7 *Ed.*] 6 *Q M*

THE THIRD PART
Of the Law of God

Distinction I

(1) That light which issues from the moon doth best represent and express that which, in ourselves, we call the light of nature; for, as that in the moon is permanent and ever there, and yet it is unequal, various, pale, and languishing, so is our light of nature changeable. For being at the first kindling at full, it waned presently, and by departing further and further from God, declined by general sin to almost a total eclipse, till God, coming nearer to us, first by the law and then by grace, enlightened and repaired it again, conveniently to His ends, for further exercise of His mercy and justice. And then those artificial lights, which ourselves make for our use and service here, as fires, tapers, and such, resemble the light of reason, as we have in our second part accepted that word. For though the light of these fires and tapers be not so natural as the moon, yet because they are more domestic and obedient to us, we distinguish particular objects better by them than by the moon; so, by the arguments, and deductions, and conclusions which ourselves beget and produce as being more serviceable, and under us because they are our creatures, particular cases are made more clear and evident to us. For these we can be bold withal,

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4078 further and further] farther and farther *M*
4082 for] and *M*
4092 be bold] behold *M*

and put them to any office, and examine and prove their truth or likelihood, and make them answer as long as we will ask, whereas the light of nature, with a solemn and supercilious majesty, will speak but once, and give no reason, nor endure examination.

But because, of these two kinds of light, the first is too weak and the other false, for only color is the object of sight, and we not trust candlelight to discern colors, we have therefore the sun, which is the fountain and treasure of all created light, for an emblem of that third best light of our understanding, which is the word of God.

Mandatum lucerna, et lex lux, says Solomon;[1] but yet, as weak, credulous men think sometimes they see two or three suns,[2] when they see none but meteors or other appearances, so are many transported with like facility or dazzling, that for some opinions which they maintain they think they have the light and authority of Scripture, when, God knows, truth, which is the light of Scriptures, is diametrally under them and removed in the farthest distance that can be. If any small place of Scripture misappear to them to be of use for justifying any opinion of theirs, then (as the word of God hath that precious nature of gold, that a little quantity thereof, by reason of a faithful tenacity and ductileness, will be brought to cover ten thousand times as much of any other metal), they extend it so far, and labor and beat it to such a thinness as it is scarce any longer the word of God, only to give their other reasons a little tincture and color of gold, though they have lost all the weight and estimation. But since the Scripture itself teaches that no prophecy in the Scripture is of private interpretation,[3] the whole church may not be bound and concluded by the fancy of one, or of a few who, being content to enslumber themselves in

[1] Proverbs 6[:23].

[2] Pliny, lib. 2, cap. 30.

[3] II Peter 1:20.

4106 appearances] apparence *Q*
4107 transported] trasported *M*
4110 diametrally] Divine truely *Q*
4120 teaches] teacheth *M*
n.2 30 *Ed.*] 31 *Q M*

an opinion and lazy prejudice, dream arguments to establish and authorize that.

A professed interpreter of dreams tells us that no dream of a private man may be interpreted to signify a public business.[4] This I say because of those places of Scriptures which are alleged for the doctrine which we now examine, scarce any one, except the precept *Thou shalt not kill,* is offered by any two authors, but to one, one place, to another, another seems directly to govern in the point; and to me, to allow truth her natural and comely boldness, no place but that seems to look towards it.

And therefore, in going over all those sentences which I have gathered from many authors, and presenting convenient answers and interpretations thereof, I will forbear the names of those authors who produced them so impertinently, lest I should seem to discover their nakedness, or insimulate them even of prevarication.

If any divine shall think the cause, or persons, injured herein, and esteem me so much worth the reducing to the other opinion as to apply an answer hereunto with the same charity which provoked me (and which, I thank God, hath accompanied me from the beginning), I beseech him to take thus much advantage from me and my instruction, that he will do it without bitterness. He shall see the way the better, and show it the better, and sail through it the better, if he raise no storms. Such men, as they are "fishers of men,"[5] so may they also hunt us into their nets, for our good. But there is, perchance, some mystic interpretation belonging to that canon which allows clergymen to hunt, for they may do it by nets and snares, but not by dogs, for clamor and bitings are forbidden them.[6] And I have been sorry to see that even Beza himself, writing against

[4] Artemidorus, *De somniorum interpretatione,* lib. 1, cap. 2.

[5] Mark 1:17.

[6] Ex dist. 86, *Esau.*

4132 her] for a *M*

4153 bitings] biting *M*

n.4 *De . . . interpretatione*] *omit M*

n.6 Ex] *omit M*

an adversary and a cause equally and extremely obnoxious, only—by allowing too much fuel to his zeal—enraged against the man, and neglecting, or but prescribing, in the cause, hath, with less thoroughness and satisfaction than either became his learning and watchfulness or answered his use and custom, given an answer to Ochin's book *Of Polygamy*.

Distinction II

(1) In all the judicial, in all the ceremonial law delivered by Moses, who was the most particular in his laws of any other, there is no abomination, no mention of this self-homicide. He teacheth what we shall and shall not eat, and wear, and speak, and yet nothing against this.

(2) But the first place that I find offered against it is in Genesis: "I will require your blood wherein your lives are, at the hand of every beast will I require it, and at the hand of man, even at the hand of a man's brother, will I require the life of man; whoso sheddeth man's blood, by man shall his blood be shed."[1] And this place, a very learned man of the Reformed Church says, the Jews understand of self-homicide. But shall we put ourselves under the Jews' yoke, that if we find in the rabbins things contrary to nature, we must dare to accuse nothing but our own weakness, because their word is God's word, and if they contradict one another, yet both are from God?[2] Lyra, who seldom departs from the Jews in matters not controverted between them and us, toucheth upon no such exposition, yet he expounds it more than one way, and with liberty enough and far straying.[3] And Emmanuel Sa, who in

[1] Genesis 9:5.

[2] Buxdorfius, *Synagoga Iudaica*, ex Rabbi Isaac, cap. 1, fol. 62.

[3] Lyra, in hunc locum.

4160 Ochin's] Ochius *Q*
4162 ceremonial] Ceremonious *M*
n.1 *Headnote in Q; omit M*
n.2 ex . . . Isaac] *omit M*

his notes is more curious and superstitious in restoring all the Hebraisms and oftentimes their interpretations than perchance that Church would desire at his hands, offers at no other sense than the words present.[4] Nor can self-homicide fall within the commination and punishment of that law, for how can the magistrate shed his blood who hath killed himself?

(3) The next is in Deuteronomy, "I kill and I give life,"[5] out of which is concluded that all authority of life and death is from God, and none in ourselves. But shall we therefore dare to condemn utterly all those states and governments where fathers, husbands, and masters had jurisdiction over children, wives, and servants' lives? If we dare, yet how shall we defend any magistracy if this be so strictly accepted? And if it admit exceptions, why may not our case be within those?

Howsoever, that this place is incongruously brought appears by the next words, "There is not any that can deliver from my hand"; for this, being a verse of that divine poem which God Himself made and delivered Moses as a stronger and more slippery insinuation and impression into the Israelites' hearts than the language of any law would make, expresses only that the mercies and judgments of God are safe, and removed from any human hindrance or interruption. So in another gratulatory song, made by Samuel's mother, the same words are repeated, "The Lord killeth and maketh alive,"[6] and this because God had given her a son when she was past hope. That place, also, in Tobit is fitly paralleled with this, "He leadeth to Hell and bringeth up, neither is there any that can avoid His hand."[7] And can these two places be detorted to their

[4] Emmanuel Sa, *Notationes in universam scripturam.*

[5] Deuteronomy 32:39.

[6] I Samuel 2:6.

[7] Tobit 13:2.

4196 incongruously] incongrously *M*
4199 stronger] stranger *M*
4206 a] *omit M*
4208 neither] nor *Q*
n.4 *Omit M*
n.5 *Headnote in Q; omit M* 32] 33 *Q*

purpose, that none but God may have jurisdiction over our temporal life? Or that place of the Book of Wisdom, which is also ever joined as of the same signification with these, "for Thou hast the power of life and death,"[8] which is spoken of His miraculous curing by the brazen serpent? So that all these four places have one respect and aim, and none of them look towards our question.

(4) In the order of the divine books, the next place is produced out of Job, *"Militia est vita hominis super terram,"*[9] for, though our translation give it thus, "Is there not an appointed time to man upon earth?" yet the Latin text is thus cited to this purpose by some not addicted to the Vulgate edition, because it seems in Latin better to afford an argument against self-homicide. For thereupon they infer that we may not depart at our own pleasure from the battle.

But, because only the metaphor, and not the extending of it nor inference upon it, is taken out of the Scripture, it brings no strong obligation with it, nor deserves much earnestness in the answer. Yet to follow him a little in his allusion, a soldier may by law be ignorant of the law, and is not much accusable if he transgress it;[10] and by another law, if a soldier whose presence is necessary for the safeguard of the army may be absent *causa reipublicae* and, being absent, his absence shall be interpreted to be so;[11] and even to those which killed themselves in the army, we noted before in the second part that the laws were not severe, if they had any color of just cause.[12] So that this figurative argument profits them nothing, especially being taken from this place where the scope of Job was to prove that our felicity and end, upon which our actions are bent, is not in

[8] Sapientia 16:13.

[9] Job 7:1.

[10] *Digesta,* lib. 22, tit. 6, lex 9.

[11] [*Digesta*], lib. 4, tit. 6, leges 44 [et 45].

[12] Supra [p. 87].

4220 Latin] Later *M*
4222 it] in *M*
4236 them] then *Q*
n.8 16] 6 *M*
n.12 *Omit M*

this life, but as wars work to peace, so we labor here to death, and to that happiness which we shall have after. And therefore, whosoever were author of that letter which hath Christ's name, to Abgarus,[13] doth not make Christ say that, when He hath done that for which He was sent hither, He will come to him and take his offer of half his kingdom, but that, when He hath done, He will return to Him which sent Him, that is, He will die. So that, if either side have advantage by this place of Job, we have it.

(5) And by the other place of Job much more, which is, "therefore my soul chooseth rather to be strangled, and to die, than to be in my bones."[14] Hereupon they infer that if it might have been lawful to die so, Job would have done it. But besides that the wretched poverty and feebleness of this manner of negative arguments—Job did it not; therefore, he might not do it—we may perceive by the whole frame of the history that God had chosen him for another use, and an example of extreme patience; so that, for anything that appears in Job's case, he might not lawfully do it because he could propose nothing but his own ease. Yet Job, whose sanctity I think it sacrilege to diminish, whether he were a person or personate, in their confession strayed thus far towards killing himself as to wish his death and curse his birth, for his whole third chapter is a bitter and malignant invective against it, and a violent wishing of his own death.

Sextus Senensis gives an answer for him so literal as it can admit or reach to no sense, which is that, cursing his birthday, which then was past, he cursed nothing.[15] And St. Gregory gives an answer so mystical as no sense can reach to it, which is

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[13] Eusebius, lib. 1, cap. 13.

[14] Job 7:15.

[15] Sextus Senensis, *Bibliotheca sancta*, lib. 8, haeresis 10.

4240 and to] to *Q*
4248 Job] Jobs *M*
4250 Hereupon] Hereuupon *Q*
4260 towards] toward *M*
4264 literal] literally *M*
n.14 *Headnote in Q; omit M*

that there is a second birth, into sin in this world, and Job cursed his entrance into that.[16] And so, because these words might be readily taken for an inordinate wishing of death, Gregory provides them also a mystical interpretation, for, the Latin reading it thus, *suspendium eligit anima mea,* he says this was *suspendium spirituale,* which was but an elevation of the mind, as St. Paul said, *Christo confixus sum cruci.*[17] But besides that this escape will not serve when the original word is considered, and that the next verse is *Desperavi, nequicquam ultra vivam,* in the twentieth verse he chides God by the name of "O thou preserver of men," as being angry that He preserved him, being now a burden to himself, and would not leave him alone whilst he might swallow his spittle; and he ends that chapter thus, "If thou seekest me in the morning, I shall not be found." This I say only to show that one whom none hath exceeded in holiness may, without any detortion of his words, be argued to have stepped far towards a purpose of killing himself. Who list to give any other construction to his words shall not displease me, nor impair the strength of our proposition.

And though, I confess, I have not read any to expound these words of Job directly thus, and though I know the opinion in general of his despairing be thus much discredited, that it is held by the Anabaptists, yet, besides that it is not just nor ingenuous to condemn all that a condemned man says—for even a leprous man may have one hand clean to take and give withal (and St. Jerome is inexcusable in that point of his slippery zeal in his behavior towards Vigilantius, yea, the Trent Council itself is obnoxious therein, for condemning names of authors, and not books)—besides this, I say, the Anabaptists differ from me in their end and purpose, for they impute despair to Job only to infirm the authority of the book,

[16] Gregorius, *Moralia,* lib. 4, cap. 6. [17] Galatians 2[:19].

4268 that] *omit M*
4274 as] a *M* *confixus*] *crucifixus Q*
4281 If] I *M*
4294 inexcusable] excusable *M* (*marked for alteration*)
4296 is] was *M*

which schismatically they labor to rent from the canon of Scripture. But I, justly with the consent of all Christian churches, admitting it for such, say that Job might keep his sanctity, and the book his dignity, and yet he might have a purpose to kill himself.

For very many reverend authors in the Reformed Church, not rashly to be forsaken, have imputed to our most blessed Savior as near approaches to a more dangerous kind of despair than we impute to Job, without diminishing Him or His Scriptures.

(6) I find also another place of Job obtruded, "Skin for skin, and all that ever a man hath, will he give for life,"[18] from which words they argue a natural love in us to this life. Let it be true, though the Devil say it (for the words are his), that our sensitive nature is too indulgent to this life—though I fear I have offended and surfeited you in the first part with examples of mere natural and sensitive men which have chosen death—yet will that prove that our reasonable nature may in no case correct that enormity? This is as strong against God's outward calling us to Him by sickness or persecution, as against any such inward motions.

(7) As unproperly and unprofitably to their ends and purpose do they offer that place of Ecclesiasticus, "*Non est census supra censum salutis corporis,*"[19] which I place here, though out of order, because of the affinity between this place and the last, and that one answer is at least enough for them both. For though this place may prove that we naturally love this body (yet it is not of the safety of the body, as if all men desired that the body might live, but it is of bodily health whilst it doth live), yet it proves not that we may in no case abandon it.

[18] Job 2:4.

[19] Ecclesiasticus 30:16.

4301 Scripture] the Scripture *M*
4309 Scriptures] Sciprures *Q*
4319 as] or *M*
4328 of] *omit M*
n.19 30] 20 *Q*

(8) The most proper, and direct, and strongest place is the commandment, for that is of moral law: "Thou shalt not kill,"[20] and this place is cited by all to this purpose.

But I must have leave to depart from St. Augustine's opinion here,[21] who thinks that this commandment is more earnestly bent upon a man's self than upon another because here is no addition, and in the other there is "against thy neighbor"; for, certainly, I am as much forbid by that commandment to accuse myself falsely as my neighbor, though only he be named, and by this I am as much forbid to kill my neighbor as myself, though none be named. So, as it is within the circuit of the command, it may also be within the exceptions thereof. For though the words be general, "thou shalt not kill," we may kill beasts, magistrates may kill men, and a private man in a just war may not only kill, contrary to the sound of this commandment, but he may kill his father, contrary to another.

When two natural laws contrary to one another occur, we are bound to that which is *strictioris vinculi,* as all laws concerning the honor of God and faith are, in respect of the Second Table, which is directed upon our neighbor by charity. If, therefore, there could be a necessity that I must do an act of idolatry or kill, I were bound to the latter. By which rule, if perchance a public, exemplary person, which had a just assurance that his example would govern the people, should be forced by a tyrant to do an act of idolatry (although by circumstances he might satisfy his own conscience that he sinned not in doing it) and so scandalize and endanger them if the matter were so carried and disguised that by no way he could let them know that he did it by constraint, but voluntarily, I say perchance he were better kill himself.

It is a safe rule, *Iuri divino derogari non potest, nisi ipsa derogatio iuri divino constet.*[22] But since it is not thought a

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[20] Exodus 20[:13].

[21] 23, q. 5, *Si non licet.*

[22] Acacius, *De privilegiis,* lib. 1, cap. 3.

4341 exceptions] Exception *M*
4349 upon] from *M*
4361 *iuri*] *viri M*
n.22 lib. 1] l. *Q*

violating of that rule to kill by public authority, or in a just war, or defense of his life, or of another's,[23] why may not our case be as safe and innocent? If any importune me to show this privilege, or exemption of this case from the commandment, I may with Scotus retort it, and call for their privilege to kill a day-thief or any man in defense of another.[24]

And as these laws may be mediately and secondarily deduced from the conformity of other laws, and from a general authority which God hath afforded all sovereigns to provide as necessities arise, so may our case be derived as well from that necessary obligation which lies always upon us, of preferring God's glory above all human respects; so that we cannot be put to show or plead any exemption, but, when such a case arises, we say that that case never was within the reach of that law, which is also true of all the other which we called exemptions before. For whatsoever might have been done before the law, as this might if it be neither against nature nor justice (from both which we make account that we have acquitted it), upon that this commandment never fell, nor extended to it.

(9) I have found also a place urged out of the Book of Wisdom, which is, "Seek not death in the error of your life."[25] Which being ever coupled with another place in Deuteronomy,[26] by collation of the two places, it appears that that which is forbidden there is idolatry, and by death is meant the second death, or the way to it.

And so this distinction, which was intended for the places cited from the books of the Old Testament, shall here have an end. And to the next, we allow those of the New.

[23] Navarre, *Manuale,* cap. 15, n. 2.

[24] Supra [p. 97].

[25] Sapientia 1:12.

[26] Deuteronomy 4:24.

4366 Scotus *Ed.*] Sotus *Q M*
4374 arises] ariseth *M*
4379 make] can make *M*
4380 nor] not *Q*
4388 from] for *M*
n.25 *Headnote in Q*

Distinction III

(1) Of which, the first that I have observed is in Matthew, when the Devil tempts Christ thus: "If thou be the Son of God, cast thyself down."[1] With all expositors, I confess this was a temptation to vainglory, and therefore most appliable to our case, where we make account that we work somewhat to the service of God, and advancement of His glory, when we allow this to be done. And it is a very slippery passage; and a devout man were, out of the nature of devotion, likelier to err that way than a worldly, but that the hand of God is extended to the protection of such.

But directly, this place will not shake nor attempt our proposition, for though Christ would not satisfy the Devil, nor discover Himself, yet He did as much, when it conduced to His own ends, as the Devil tempted Him to in this place, or the other, both in changing the species and nature of water into wine, and in exposing Himself to certain danger when He walked upon the waters. Christ refused no difficulty, nor abstained from miracles, when He knew He profited the beholders. Nor do I say that in any other case than when we are probably and excusably assured that it is to a good end, this may be lawful to us.

(2) The next place is in the Acts of the Apostles: The keeper of the prison "drew out his sword and would have killed himself, supposing the prisoners had been gone; but Paul cried, Do thyself no harm, for we are all here."[2] To which I say that, by the same spirit by which Paul, being in the inner prison in the dark, knew what the keeper thought and what he was about to do without, he knew also God's purpose to be

[1] Matthew 4:6.

[2] Acts 16:27.

4392 when] where *M* be] beest *M*
4397 is] was *M*
4404 in] *omit M*
4406 in] *omit M*
n.1 *Headnote in Q*
n.2 *Headnote in Q* 27 *Ed.*] 17 *Q M*

glorified in the conversion of him and his family, and therefore did not only reclaim him from that purpose, which was inordinate and for his own sake, to escape punishment (in which yet we may observe how presently man's nature inclines him to this remedy), but also forbears to make his benefit of this miracle and to escape away; and so, though he rescue the keeper, he betrays himself. And therefore, Calvin upon this place makes to himself this objection, that Paul, seeing all his hope of escape to consist in the death of the keeper, neglected that way of liberty which God offered him, when he restrained the keeper from killing himself; and he answers it only thus, that he had a conscience and insight into God's purpose and decree herein. For otherwise, if he had not had that (which very few attain to have) it seems he ought to have permitted the keeper to proceed, to facilitate thereby his way of escaping.

(3) Which also infers some answer to another place of St. Paul, where he delivers and discharges himself and his fellow apostles of having taught this doctrine, that a man might do evil that good might come thereof;[3] and consequently it is well, and by just collection, pronounced that he forbids that doctrine. And we also humbly subscribe to that rule, and accept it so as St. Paul intends it, that is, in things which nature, and not circumstance, makes evil, and in these also, when any such circumstance doth make them evil, as another circumstance to the contrary doth not preponderate and overrule this. This, therefore, we must have liberty to enlighten with a larger discourse.

Of the evils which seem to us to be of punishment, of which kind death is, God ever makes others His executioners; for the greatest of all, though it be spiritual, which is in-

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[3] Romans 3:8.

4423 also] *omit M, though transcribed as catchword*
4424 rescue] rescues *M*
4426-4427 his hope of escape] the hope of his escape *M*
4437 is] was *M*
n.3 *Headnote in Q* 3] *omit M*

duration, is not so wrought by God Himself immediately, as his spiritual comforts are, but occasionally, and by desertion. Sometimes in these God employs His angels, sometimes the magistrate, sometimes ourselves. Yet all which God doth in this life, by any of these, is but physic, for even excaecation and induration is sent to further salvation in some, and inflicted medicinally.[4] And these ministers and instruments of His are our physicians, and we may not refuse any bitterness, no, not that which is naturally poison, being wholesomely corrected by them. For as in cramps, which are contortions of the sinews, or in tetans, which are rigors and stiffnesses in the muscles, we may procure to ourself a fever to thaw them, or we may procure them in a burning fever to condense and attemper our blood again,[5] so in all rebellions and disobediences of our flesh, we may minister to ourselves such corrections and remedies as the magistrate might if the fact were evident. But because, though for prevention of evil we may do all the offices of a magistrate upon ourselves in such secret cases, but whether we have that authority to do it after or no, especially in capital matters, is disputable, and at this time we need not affirm it precisely, I will examine the largeness of that power no farther now, but descend to that kind of evil which must of necessity be understood in this place of Paul, which is that we account naturally evil.

And even in that, the bishops of Rome have exercised their power to dispense with bigamy, which is in their doctrine directly against God's commandment,[6] and therefore naturally evil. So did Nicholas V dispense with a bishop in Germany to consult with witches for recovery of his health;[7] and it were

[4] Aquinas, 1a2ae, q. 79, a. 4 con.

[5] Hippocrates, *Aphorismi*, lib. 2.38.

[6] Dist. 34, *Lector*, Glossa.

[7] Bodinus, *Daemonomania*, lib. 3, cap. 5.

4451 sometimes the] sometime the *Q*
4453 excaecation] exaecation *M*
4459 tetans] Tetars *Q*
4465 prevention] preventions *M*
4473 in] of *M*
4477 for] for the *M*
n.7 3] *omit Q*

easy to amass many cases of like boldness. In like manner, the Imperial Law tolerates usury, prescription *malae fidei,* and deceit *ad medium,*[8] and expressly allows witchcraft to good purposes,[9] conformably to which law, Paracelsus says, it is all one whether God or the Devil cure, so the patient be well.[10] And so the Canons have prescribed certain rules of doing evil when we are overtaken with perplexities: to choose the least,[11] of which St. Gregory gives a natural example, that a man attempted upon a high wall and forced to leap it, would take the lowest place of the wall.[12] And agreeably to all these, the casuists say that in extreme necessity I sin not if I induce a man to lend me money upon usury, and the reason is because I incline him to a less sin, which is usury, when else he should be a homicide by not relieving me.[13]

And in this fashion God Himself is said to work evil in us, because when our heart is full of evil purposes, He governs and disposes us rather to this than to that evil, wherein, though all the viciousness be ours, and evil, yet the order is from God, and good.[14] Yea, He doth positively incline one to some certain evil thus, that He doth infuse into a man some good thoughts, by which he, out of his viciousness, takes occasion to think he were better do some other sin than that which he intended.

Since, therefore, all these laws and practices concur in this, that we sometimes do such evil not only for express and positive good, but to avoid greater evil, all which seems to be against this doctrine of St. Paul; and since, whatsoever any human power may dispense withal in us, we, in extreme neces-

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[8] Windeck, *De consensu et dissensu legum et canonum,* cap. 11.

[9] *Codex* [lib. 9], tit. [18] De maleficiis, lex 4, §*Eorum.*

[10] Paracelsus, *Liber de morbo caduco.*

[11] Dist. 13, cap. *Duo mala.*

[12] Dist. eadem, cap. *Nervi.*

[13] Navarre, *Manuale,* cap. 17, n. 263.

[14] Bellarminus, *De amissione gratiae et statu peccati,* lib. 2, cap. 13, ex Hugone de Victoria et Thoma.

4488 casuists] Casuist *Q*
4494 to that] that *M*
4501 sometimes] sometime *Q*
4502 seems] seeme *M*
n.11 13 *Ed.*] 14 *Q M*
n.14 *et statu peccati*] *omit M*

sity, in impossibility of recourse to better counsel, in an erring conscience, and in many such cases, may dispense with ourselves, for that canon of *Duo mala*[15] leaves it to our natural reason to judge, and value, and compare, and distinguish between those two evils which shall concur; and since, for all this, it is certain that no such dispensation from another, or from myself, doth so alter the nature of the thing that it becomes thereby the more or the less evil: to me there appears no other interpretation safe but this, that there is no external act naturally evil, and that circumstances condition them, and give them their nature, as scandal makes an indifferent thing heinous at that time which, if some person go out of the room or wink, is not so.

The Law itself, which is given us as a light that we might not stumble, and by which we see, not what is evil naturally (for that we see naturally, and that was so even to us before the Law declared it), but what would be evil, that is, produce evil effects, if we did it at that time and so circumstanced, is not absolutely good, but in such measure and in such respects as that which it forbids is evil. And therefore Picus, comparing the Law to the firmament (as Moses accepts the word),[16] as he observes that the second day, when God made the firmament He did not say that it was good, as He did of every other day's work, and yet it was not evil (for then, saith Picus, it could not have received the sun, as, if it had been good, it had not needed it), so he reprehends the Manichees for saying that the law was evil, yet he sticks to that of Ezekiel, that it was not good.[17]

That evil, therefore, which by this place of St. Paul is forbidden, is either acts of infidelity (which no dispensation can deliver from the reach of the law) or else such acts as, being by our nature and reason and approbation of nations reputed evil,

[15] Supra [p. 159].

[16] *Heptaplus*, lib. 7, cap. 6.

[17] Ezekiel 20:25.

4505 recourse] recurse *M*
4532 therefore] *omit M*
n.15 *Omit M*
n.16 cap. 6 *Ed.*] proem *Q M*
n.17 25] 15 *M*

or declared by law or custom to be such because of their ordinary evil effects, do cast a guiltiness upon the doer ordinarily and for the most part and ever, except his case be exempt and privileged. This moved Chrysostom, whom I cited before, to think a lie and a consent to adultery not evil in Sarah, and this rectified St. Augustine's squeamishness so far as to leave us at liberty to think what we would of that wife's act, which, to pay her husband's debt, let out herself one night.[18] For if any of these things had been once evil naturally, they could never recover of that sickness; but, as I insinuated before,[19] as those things which we call miracles were written in the history of God's purpose as exactly, and were as certainly to come to pass, as the rising and setting of the sun, and as naturally *in tota compagine naturae* (for there is no interlining in that book of God), so in that, His eternal register, where He foresees all our acts, He hath preserved and defended from that ordinary corruption of evil purpose, of inexcusable ignorance, of scandal, and of such other inquinations of indifferent things (as He is said to have done our Blessed Lady from original sin in her inanimation) some of those acts of ours which, to those who do not studiously distinguish circumstances, or see not the doer's conscience and testimony of God's spirit, may at the first taste have some of the brackishness of sin. Such was Moses' killing of the Egyptian,[20] for which there appears no especial calling from God. But because this falls not often, St. Paul would not embolden us to do any of those things which are customarily reputed evil.

But if others be delighted with the more ordinary interpretation of this place, that it speaks of all that which we call

[18] Supra [p. 124].

[19] Supra [p. 157].

[20] Exodus 2:12.

4544 things] thing *Q* (*perhaps* s *did not print*)
4545 recover] recouerd *M*
4559 Egyptian] Egyptians *Q* especial] speciall *M*
4561–62 customarily reputed] accustomarily called *M*
n.18 *Omit M*
n.19 *Omit M*

sin, I will not refuse that interpretation, so they make not the Apostle's rule (though in this place this be not given properly and exactly for a rule) more strict than the moral precepts of the Decalogue itself, in which, as in all rules, there are naturally included and incorporated some exceptions, which if they allow in this, they are still at the beginning, for this case may fall within those exceptions.

Otherwise, that the general application of this rule is not proper, as by infinite other places, so it appears evidently by that in Bellarmine, where he says that by reason of this rule, a man may not with neglecting a poor neighbor adorn a church,[21] yet there are a great many cases wherein we may neglect this poor neighbor, and, therefore, that is not naturally evil. And certainly, whosoever is delighted with such arguments, and such an application of this text, would not only have objected this rule to Lot when he offered his daughters, for there it might have color, but would have joined with Judas when the woman anointed Christ, and have told her that although the office which she did were good, yet the waste which she made first was evil and against this rule.

(4) The same Apostle doth in diverse other places use this phrase, that we are the temples of the Holy Ghost,[22] and from thence is argued that it is an unlawful sacrilege to demolish or to deface those temples. But we are so the temples of God as we are His images, that is, by His residing in our hearts. And who may doubt, but that the blessed souls of the departed are still His temples and images? Even amongst heathens, those temples which were consecrated to their gods might, in cases of public good or harm, be demolished, and yet the ground remain sacred.[23] And in the two first places is only a dehorta-

[21] *De cultu sanctorum*, lib. 4, cap. 7.

[22] II Cor. 6:16, I Cor. 3:16, I Cor. 6:19.

[23] Sylvius, *Commentarius ad leges* [cap. 11].

4565 refuse] refute *Q*
4583 were] was *M*
4587 or to] or *M*
n.21 7] 6 *M*
n.22 *Headnote in Q* 6:19 *Ed.*] 6.16 *Q M*

tion from polluting our hearts, which are God's temples, with idolatry or other sin. In the other place, he calls our material body the temple, and he makes it to us an argument that we should fly from fornication, because therein we trespass against our own body. And so here arises a double argument that we may not do injury to our own body, neither as it is ours, nor as it is God's.

In the first of these, then, he says a fornicator sins against his body; for, as he said two verses before, he makes himself one body with an harlot, and so he diminishes the dignity of his own person. But is it so in our case, when he withdraws and purges it from all corruptions, and delivers it from all the inquinations and venom and malign machinations of his and God's adversaries, and prepares it, by God's insinuation and concurrence, to that glory which without death cannot be attained? Is it a less dignity that himself be the priest of God, and that himself be the sacrifice of God, than that he be the temple?

But, says Paul, your body is the temple of God, and "you are not your own."[24] But, says Calvin here, you are not so your own that you may live at your own will, or abuse your body with pollutions and uncleanness. Our body is so much our own as we may use it to God's glory, and it is so little our own as, when He is pleased to have it, we do well in resigning it to Him, by what officer soever He accept it, whether by angel, sickness, persecution, magistrate, or ourselves. Only be careful of this last lesson, in which he amasses and gathers all his former doctrine: Glorify God in your body and in your spirit, for they are His.[25]

(5) The place of the Ephesians hath some affinity with this, which is: "But let us follow the truth in love, and in all things grow up into Him which is the head, that is Christ," till we are

[24] Verse 19.

[25] Verse 20.

4604 an] a *M* diminishes] deminisheth *M*
4616 pollutions] pollution *M*
n.24 *Omit M*

all met together, unto a perfect man;[26] by which we receive the honor to be one body with Christ, our head, which is after more expressly declared: We are members of His body, of His flesh, and of His bone.[27] And therefore, they say that to withdraw ourselves, which are limbs of Him, is not only homicide of ourselves, who cannot live without Him, but a parricide towards Him who is our common Father.

But, as in fencing, passion lays a man as open as unskillfulness, and a troubled desire to hit makes one not only miss but receive a wound, so, out of an inordinate fervor to strike home, he which allegeth this place overreacheth to his own danger. For only this is taught herein, that all our growth and vegetation flows from our head, Christ, and that He hath chosen to Himself, for the perfection of His body, limbs proportional thereunto, and that, as a soul through all the body, so this care must live and dwell in every part, that it be ever ready to do His proper function, and also to succor those other parts for whose relief or sustentation it is framed and planted in the body. So that herein there is no literal construction to be admitted, as though the body of Christ could be imperfected by the removing of any man. For, as from a tree some leaves pass their natural course and season, and fall again, being withered by age, and some fruits are gathered unripe, and some ripe, and some branches which in a storm fall off are carried to the fire, so in this body of Christ, the church (I mean that which is visible), all these are also fulfilled and performed, and yet the body suffers no maims, much less the head any detriment.

This place, therefore, is so far from giving encouragement to any particular man to be careful of his own well-being, as the expositors, of what persuasion soever in controverted points, accept from hence an argument that, for the estab-

[26] Ephesians 4:15, 16.

[27] Cap. 5, v. 30.

4637 allegeth] alleages *M* overreacheth] overreaches *M*
4640–41 limbs . . . body] *omit M*
4653 maims] Mayme *M*
4655 own] *omit M*
n.26 *Headnote in Q*

lishing and sustentation of the whole body, a man is bound to depart with all respects to himself, and give his life to strengthen them which are weak. And this place, as a common conduit-head, hath afforded justification for martyrdoms, for pestilent visitations, and for all those desertions of ourselves and of our natural right of preserving ourselves, which we had occasion to insist upon before.

(6) As, therefore, that construction doth well consist with those words, so doth it also with the words in the next chapter, "No man ever hated his own flesh, but nourished it," etc.,[28] of which hate, because we are to speak when we come to Christ's commandment of hating our life, we will here only say with Marlorate upon this place: he hates not his flesh who hates the desires thereof and would subject it to the spirit, no more than a goldsmith hates that gold which he casts into a furnace, to purify and reduce to a better fashion.[29]

And because, out of the armory of Scripture, I have not found that they take any better weapons, nor any more, we may here end this distinction.

Distinction IV

(1) In the next, our business is to try of what force and proof their arms are against their adversaries' forces, of which we shall oppose two sorts: the first, natural and assured subjects, which are reasons arising naturally from places of Scripture, and these in this distinction; the other, examples, as auxiliaries, for though we rely not upon them, yet we have this advantage in that kind, that our adversaries can make no use nor profit of examples. And therefore, that answer which both

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[28] Ephesians 5[:29].

[29] Marloratus, in hunc locum.

4663 our] *omit M*
4672 into a] into the *M*
4681 which are] which are which are *M* (*second marked for deletion*)
n.29 *Omit M*

Peter Martyr, and Lavater from him, make, that we must not live by examples, and that if examples proved anything, they had the stronger side (that is, there have been more men which have not killed themselves than which have), may well seem, from peremptoriness, and laziness, and impossibility of better defense, to have too much alloy to be current.

To prepare us, therefore, to a right understanding and application of these places of Scripture, we must arrest awhile upon the nature, and degrees, and effects of charity, the mother and form of all virtue, which shall not only lead us to heaven, for faith opens us the door, but shall continue with us when we are there, when both faith and hope are spent and useless.

We shall nowhere find a better portrait of charity than that which St. Augustine hath drawn: "She loves not that which should not be loved, she neglects not that which should be loved, she bestows not more love upon that which deserves less, nor doth she equally love more and less worthiness, nor upon equal worthiness bestow more and less love." To this charity, the same blessed and happy father proportions this growth: Inchoated, increased, grown great, and perfected, and this last is, saith he, when in respect of it we contemn this life.[1] And yet he acknowledgeth a higher charity than this; for, Peter Lombard allowing charity this growth, beginning, proficient, perfect, more and most perfect,[2] he cites St. Augustine, who calls that perfect charity to be ready to die for another.[3] But when he comes to that than which none can be greater, he says then, the Apostle came to *cupio dissolvi*.[4] For, as one may love God with all his heart, and yet he may grow in that love, and love God

[1] *De natura et gratia,* cap. ultimum.

[2] Lombardus, lib. 3, dist. 29 [q. 8].

[3] *In Epistolam Ioannis,* tractatus 5.

[4] Philippians 1:23.

4688 men] *omit M*
4693 Scripture] scriprure *Q*
4695 form] the form *M*
4712 *cupio*] Cupia *M*
4713–14 and yet . . . heart] *omit M originally; inserted by Donne*
4713 that love] that *Q* (love *inserted in M by Donne)*
n.2 29 *Ed.*] 3 *Q M*
n.4 *Omit M*

more with all his heart,[5] for the first was commanded in the Law,[6] and yet counsel of perfection was given to him who said that he had fulfilled the first commandment,[7] so, as St. Augustine found a degree above that charity which made a man *paratum ponere,* which is *cupere,* so there is a degree above that, which is to do it.

This is that virtue by which martyrdom, which is not such of itself, becomes an act of highest perfection.[8] And this is that virtue which assureth any suffering which proceeds from it to be infallibly accompanied with the grace of God.[9] Upon assuredness, therefore, and testimony of a rectified conscience that we have a charitable purpose, let us consider how far we may adventure upon authority of Scripture in this matter which we have in hand.

(2) First, therefore, by the frame and working of St. Paul's argument to the Corinthians, "though I give my body that I be burned, and have not love, it profiteth nothing,"[10] these two things appear evidently: first, that in a general notion and common reputation, it was esteemed a high degree of perfection to die so, and therefore not against the law of nature; and secondly, by this exception, *without charity,* it appears that with charity it might well and profitably be done.

For the first, if any think that the Apostle here takes example of an impossible thing, as when it is said, "if an angel from heaven teach other doctrine," he will, I think, correct himself if he consider the former verses and the Apostle's progress in his argument, wherein, to dignify charity the most that he can, he undervalues all other gifts which were there ambitiously affected. For eloquence, he says, it is nothing to have all lan-

[5] Serarius, *Trihaeresium,* lib. 2, cap. 8.
[6] Deuteronomy 6:5.
[7] Matthew 5.
[8] Aquinas, 2a2ae, q. 124, a. 3.
[9] Aquinas, 2a2ae, q. 136, a. 3.
[10] I Cor. 13:3.

4722 assureth] assures *M* any] my *M*
4736 that] *omit M*
4741 there] then *M*
n.5 2 *Ed.*] 1 *Q M*
n.10 *Headnote in Q* 3 *Ed.*] 4 *Q M*

guages, no, not of angels, which is not put literally, for they have none, but to express a high degree of eloquence, as Calvin says here; or, as Lyra says, by language of angels is meant the desire of communicating our conceptions to one another. And then he adds that knowledge of mysteries and prophecies is also nothing, which was also much affected. And for miraculous faith, it is also nothing. For the first of these gifts doth not make a man better, for Balaam's ass could speak and was still an ass; and the second Judas had, and the Pharisees; and the third is so small a matter that as much as a grain of mustardseed is enough to remove mountains. All these, therefore, were feasible things, and were sometimes done. So also, after he had passed through the gifts of knowledge and gifts of utterance, he presents the gifts of working in the same manner; and therefore, as he says, "if I feed the poor with all my goods," which he presents as a harder thing than either of the other (for in the other, God gives me, but here I give other), yet possible to be done, so he presents the last, "if I give my body," as the hardest of all, and yet, as all the rest, sometimes to be done.

That which I observed secondly to arise from this argument was that, with charity, such a death might be acceptable. And though I know the Donatists are said to have made this use of these words, yet, because the intent and end conditions every action and infuses the poison or the nourishment which they which follow suck from thence, and we know that the Donatists rigorously and tyrannously racked and detorted thus much from this place that they might present themselves to others promiscuously to be killed, and if that were denied to them, they might kill themselves and them who refused it, yet, I say, I doubt not but thus much may naturally be collected from hence, that by this word "if I give my body" is insinuated somewhat more than a prompt and willing yielding of it when I am enforced to it by the persecuting magistrate; and that these

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4752 mustardseed] Musterseed *Q*
4754 feasible] faisable *Q*, faytable *M*
4764 this] *omit M*
4768 thus] *omit M*

words will justify the fact of the martyr Nicephorus' being then in perfect charity, whose case was that, having had some enmity with Sapritius, who was brought to the place where he was to receive the bloody crown of martyrdom, he fell down to Sapritius and begged from him then a pardon of all former bitternesses; but Sapritius, elated with the glory of martyrdom, refused him, but was presently punished, for his faith cooled, and he recanted, and lived. And Nicephorus, standing by, stepped into his room and cried, "I am also a Christian!" and so provoked the magistrate to execute him, lest from the faintness of Sapritius the cause might have received a wound or a scorn.[11] And this I take to be "giving of his body."

Of which, as there may be such necessity, for confirming of weaker Christians, that a man may be bound to do it, as in this case is very probable, so there may be cases, in men very exemplary, and in the cunning and subtle carriage of the persecutor, as one can no other way give his body for testimony of God's truth, to which he may then be bound, but by doing it himself.

(3) As, therefore, naturally and customarily, men thought it good to die so, and that such a death, with charity, was acceptable, so is it generally said by Christ that "the good shepherd doth give his life for his sheep,"[12] which is a justifying and approbation of our inclination thereunto, for to say "the good do it" is to say "they which do it are good." And as we are all sheep of one fold, so in many cases we are all shepherds of one another, and owe one another this duty of giving our temporal lives for another's spiritual advantage, yea, for his temporal. For that I may abstain from purging myself when another's crime is imputed to me[13] is grounded

[11] Metaphrastes in Nicephori martyrio.

[12] John 10:11.

[13] Soto, *De tegendo secretum,* memb. 1, q. 3.

4792 persecutor] Pesecutor *Q*
4802 of one] one of *M* this] the *M*
n.11 in . . . martyrio] *omit M*
n.12 *Headnote in Q*

upon such another text as this, where it is said the greatest love is to bestow his life for his friends;[14] in which, and all of this kind, we must remember that we are commanded to do it so as Christ did it, and how Christ gave His body we shall have another place to consider.

(4) Hereupon, because St. Peter's zeal was so forward, and carried him so high that he would die for the Shepherd, for so he says, "I will lay down my life for Thy sake,"[15] and this, as all expositors say, was merely and purely out of natural affection, without examination of his own strength to perform it, but presently and roundly, nature carried him to that promise. And, upon a more deliberate and orderly resolution, St. Paul witnesseth of himself such a willingness to die for his brethren: "I will be gladly bestowed for your souls."[16]

(5) A Christian nature rests not in knowing thus much, that we may do it, that charity makes it good, that the good do it, and that we must always promise, that is, incline, to do it and do something towards it, but will have the perfect fullness of doing it in the resolution and doctrine and example of our blessed Savior, who says *de facto*, "I lay down my life for my sheep."[17] And, saith Musculus, He useth the present word because He was ready to do it, and as Paul and Barnabas, men yet alive, are said to have laid down their lives for Christ.[18] But I rather think, because exposing to danger is not properly

[14] John 15:13.
[15] John 13:37.
[16] II Cor. 12:15.
[17] John 10:15.
[18] Acts 15:26.

4807 friends] friend *Q*
4811 Peter's] Peter *M* was *Ed.*] *omit Q* M
4812 him] himselfe *M*
4823 perfect] present *M*
4829 is] it is *M*
n.14 *Omit M*
n.15 *Headnote in Q*
n.16 *Omit M*
n.17 *Headnote in Q*
n.18 *Omit M*

called a dying, that Christ said this now because His passion was begun, for all His conversations here were degrees of exinanition.

To express the abundant and overflowing charity of our Savior all words are defective, for if we could express all which He did, that came not near to that which He would do if need were. It is observed by one (I confess, too credulous an author, but yet one that administers good and wholesome incitements to devotion) that Christ, going to Emmaus, spake of His passion so slightly, as though He had in three days forgot all that He had suffered for us, and that Christ, in an apparition to St. Charles, says that He would be content to die again, if need were;[19] yea, to St. Bridget He said that for any one soul He would suffer as much in every limb as He had suffered for all the world in His whole body.[20] And this is noted for an extreme high degree of charity, out of Anselm, that His blessed Mother said, rather than He should not have been crucified, she would have done it with her own hands,[21] and certainly His charity was not inferior to hers: He did as much as any could be willing to do.

And therefore, as Himself said, "No man can take away my soul," and "I have power to lay it down." So without doubt, no man did take it away, nor was there any other than His own will the cause of His dying at that time, many martyrs having hanged upon crosses many days alive; and the thieves were yet alive, and therefore Pilate wondered to hear that Christ was dead.[22] His soul, saith St. Augustine, did not leave His body constrained, but "because He would, and when He would, and how

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[19] *De sindone,* pars 1, notae in cap. 11.

[20] *Revelationes Brigidae,* lib. 1, cap. 59.

[21] *De sindone,* pars 1, notae in cap. 16.

[22] Mark 15[:44].

4831 exinanition] examination *M*
4837 and] *omit M*
4838 spake] spoke *M*
4852 take it away] *omit M*
4853 at] all *M*
n.19 *sindone*] *Suidone Q*
n.21 *De sindone*] *Suidon. Q*

He would";[23] of which St. Thomas produces this symptom, that He had yet His body's nature in her full strength, because at the last moment He was able to cry with a loud voice;[24] and Marlorate gathers it upon this, that whereas our heads decline after our death by the slackness of the sinews and muscles, Christ did first, of Himself, bow down His head, and then give up the ghost.[25] So, though it be truly said, after they have scourged Him, they will put Him to death,[26] yet it is said so because maliciously and purposely to kill Him they inflicted those pains upon Him, which would in time have killed Him, but yet nothing which they had done occasioned His death so soon.

And therefore St. Thomas,[27] a man neither of unholy thoughts nor of bold or irreligious or scandalous phrase or elocution (yet I adventure not so far in his behalf as Sylvester doth, that it is impossible that he should have spoken anything against faith or good manners[28]), forbears not to say that "Christ was so much the cause of His death as he is of his wetting, which might and would not shut the window when the rain beats in."

This actual emission of His soul, which is death, and which was His own act, and before His natural time (which His best beloved apostle could imitate, who also died when he would and went into his grave, and there gave up the ghost and buried himself,[29] which is reported but of very few others, and by no very credible authors[30]), we find thus celebrated: that that

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[23] *De trinitate,* lib. 4, cap. 13.

[24] 3a, q. 47, a. 1 ad 2m.

[25] In Matthaeum 27:50.

[26] Lucas 18:33.

[27] 3a, q. 47, a. 1 con.

[28] Verbo "Matrimonium."

[29] Aquinas, super Ioannem, cap. 21.

[30] Sophronius, *Pratum spirituale,* cap. 90, de Pterygii anachoretis; et Surius, tom. 1, Februarius, de Severo Ravennatis.

4872 so] to *M*
4875 his] y^{e} *M*
n.23 4 *Ed.*] 1 *Q M*
n.27 3a *Ed.*] 2 *Q M*
n.28 Matrimonium] Martyrium *M*
n.29 super] supr. *Q*
n.30 Februarius] *omit M*

is a brave death which is accepted unconstrained, and that it is an heroic act of fortitude if a man, when an urgent occasion is presented, expose himself to a certain and assured death, as He did; and it is there said that Christ did so as Saul did, who thought it foul and dishonorable to die by the hand of an enemy; and that Apollonia, and others who prevented the fury of executioners and cast themselves into the fire, did therein imitate this act of our Savior, of giving up His soul before He was constrained to do it.[31] So that, if the act of our blessed Savior, in whom there was no more required for death but that He should will that His soul should go out, were the same as Saul's and these martyrs' actual furtherance, which could not die without that, then we are taught that all those places of giving up our bodies to death, and of laying down the soul, signify more than a yielding to death when it comes.

(6) And to my understanding there is a further degree of alacrity and propenseness to such a death, expressed in that phrase of John, "he that hateth his life in this world shall keep it unto life eternal," and in that of Luke, "except he hate his own life, he cannot be my disciple."[32] Such a loathness to live is that which is spoken of in the Hebrews: "some were racked and would not be delivered, that they might receive a better resurrection."[33] This place Calvin interprets of a readiness to die, and expresses it elegantly: to carry our life in our hands, offering it to God for a sacrifice.[34] And this the Jesuits in their rule extend thus far, let everyone think that this was said directly to him: Hate thy life.[35] And they who in the other place

[31] *Sindon*, notae in cap. 21 ad 6.

[32] John 12:25, Luke 14:26.

[33] Hebrews 11:35.

[34] In Ioannem 12:25.

[35] *Regula Iesuitarum*, Constitutiones spirituales, 8.

4885 an heroic] a heroic *M*
4894 were] was *M*
4897 bodies] body *M*
4899 And] But *M*
4902 Luke] Luc. *M*
4907 expresses] expresseth *M*
n.32 *Headnote in Q*

accept this phrase "No man hateth his own flesh" to yield an argument against self-homicide in any case, must also allow that the same hate being commanded here authorizes that act in some case. And St. Augustine, apprehending the strength of this place, denies that by the authority of it the Donatists can justify their self-homicide when they list to die; but yet in those cases which are exempt from his rules, this place may encourage a man not to neglect the honor of God only upon this reason, that nobody else will take his life.

(7) And therefore, the Holy Ghost proceeds more directly in the first Epistle of St. John, and shows us a necessary duty: Because He laid down His life for us, therefore we ought to lay down our lives for our brethren.[36] All these places work us to a true understanding of charity, and to a contempt of this life in respect of it. And, as these inform us how ready we must be, so all those places which direct us by the example of Christ to do it as He did, show that in cases when our lives must be given, we need not ever attend extrinsic force of others, but, as He did in perfect charity, so we, in such degrees of it as this life and our nature are capable of, must die by our own will, rather than His glory be neglected, whensoever, as Paul saith, Christ may be magnified in our bodies,[37] or the spiritual good of such another as we are bound to advance doth importune it.

(8) To which readiness of dying for his brethren St. Paul had so accustomed himself, and made it his nature, that, but for his general resolution of doing that ever which should promove their happiness, he could scarce have obtained of himself leave to live.[38] For at first, he says, he knew not which to wish,

[36] I John 3:16.

[37] Philippians 1:20.

[38] Philippians 1:23.

4916 those] these *Q*
4927 lives] Life *M*
4931 saith] says *M*
4936 that ever] ever that *M* promove] premoue *M*
n.36 *Headnote in Q*
n.38 *Headnote in Q*

life or death (and therefore, generally, without some circumstance incline or avert us, they are equal to our nature); then, after much perplexity, he was resolved, and desired to be loose, and to be with Christ (therefore, a holy man may wish it); but yet, he corrected that again, because, saith he, "to abide in the flesh is more needful for you." And therefore charity must be the rule of our wishes and actions in this point.

(9) There is another place to the Galatians which, though it reach not to death, yet it proves that holy men may be ready to express their loves to one another by violence to themselves, for he saith, "if it had been possible, you would have plucked out your own eyes and given me";[39] and Calvin saith this was more than *vitam profundere*. And this readiness St. Paul reprehends not in them.

(10) But of the highest degree of compassionate charity for others is that of the Apostle in contemplation of the Jews' dereliction: I would wish myself to be separated from Christ for my brethren.[40] The bitterness of which anathema himself teaches us to understand when, in another place, he wishes the same to those which love not Jesus Christ.[41] And this fearful wish, which charity excused in him, was utter damnation, as all expositors say. And though I believe with Calvin that at this time, in a zealous fury, he remembered not deliberately his own election, and therefore cannot in that respect be said to have resisted the will of God, yet it remains as an argument to us that charity will recompense and justify many excesses which seem unnatural and irregular and enormous transportations.

[39] Galatians 4:1.

[40] Romans 9:3.

[41] I Cor. 16:22.

4945 wishes] wish *M*
4948 one] *omit Q*
4950 saith] sayes *M*
4953 degree] degrees *Q*
4956 anathema] Anatheme *M* teaches] teacheth *M*
n.39 *Headnote in Q*
n.40 *Headnote in Q*

(11) As in this Apostle of the gentiles, so in the lawgiver of the Jews the like compassion wrought the like effect, and more; for Moses rested not in wishing, but face to face argued with God: "If thou pardon them, thy mercy shall appear, but if thou wilt not, I pray thee, blot my name out of the book which thou hast written."[42] I know that many, out of a reasonable collection that it became Moses to be reposed and dispassioned and of ordinate affections in his conversation with God, are of opinion that he strayed no further in this wish and imprecation than to be content that his name should be blotted out of the Scriptures, and so to lose the honor of being known to posterity for a remarkable instrument of God's power and mercy. But, since a natural infirmity could work so much upon Christ, in whom there may be suspected no inordinateness of affections, as to divert Him a little and make Him slip a faint wish of escaping the cup, why might not a brave and noble zeal exalt Moses so much as to desire to restore such a nation to the love of God by his own destruction?

For, as certainly the first of these was without sin, so the other might be, out of an habitual assuredness of his salvation. As Paulinus says to Amandus, thou mayst be bold in thy prayers to God for me to say, "Forgive him or blot out me," for thou canst not be blotted out; *iustum delere non potest iustitia*.[43] And thus, retaining ever in our minds that our example is Christ, and that He died not constrained, it shall suffice to have learned by these places that, in charity, men may die so, and have done, and ought to do.

The last thing which remains yet is to consider the examples reported in the Scriptures, which cannot possess us long

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[42] Exodus 32:32.

[43] Pontius Paulinus, ad Amandum, epistola 2.

4974 further] farther *M*
4977 remarkable] remaqueable *M*
4982–83 to the . . . God] *omit M*
4987 to say . . . me] *omit M*
4990 and] *omit M*
4993 which] that *M*
n.42 *Headnote in Q*

because a few rules will include many examples, and those few rules which are appliable to these histories have been often iterated already; and for other rules which may enlighten and govern us in all occurrences, for many reasons I respite to a maturer deliberation and discourse.

Distinction V

(1) As, when I entered into the examination of places of Scriptures, it seemed to me to have some weight that in all the judicial and ceremonial law, there was no abomination of self-homicide, so doth it that, in relating the histories of them who killed themselves, the phrase of Scripture never diminishes them by any aspersion or imputation for that fact, if they were otherwise virtuous, nor aggravates thereby their former wickedness, if they were wicked. For my part, I am content to submit myself to that rule which is delivered from Irenaeus, that those things which the Scripture doth not reprehend, but simply lay down, it becomes not us to accuse, nor to make ourselves more diligent than God; but if anything seem to us irregular, our endeavor must be to search out the type and signification thereof.[1]

Neither shall I, for all this, be in danger of Beza's answer to that argument of Ochin's,[2] that, though some of the patriarchs lived unreprehended in polygamy, it concluded nothing because, saith Beza, the silence of Scripture in Jacob's incest,[3] and in Lot's,[4] and in David's unjust judgment for Ziba,[5] doth not deliver them from guiltiness and transgression therein. For our case

[1] Scultetus, *Medullae patrum*, pars 1, in lib. 4 Irenaei.

[2] Beza, *De polygamia*, fol. 7.

[3] Genesis 29.

[4] Genesis 19[:30].

[5] II Samuel 9:10.

5002 it] y^{t} *M*
5006 or] or or *Q*
5009 Irenaeus] Iraeneus *Q*
5016 Ochin's *Ed.*] Ochius *Q*, Ochin *M*
n.1 pars] pag. *Q*
n.5 10 *Ed.*] 2 *Q M*

differs from all others, both because this act is not, from any place of the Law, evicted to be sin, and because here is a concurrence of examples of this fact, without any reprehension; so that that answer is so far short from reaching us that it reached not home to that argument of Ochin's against which it was opposed. And if, in debating these examples, it be found that some very reverend authors have concluded impenitence and, consequently, utter desertion on God's part, and so eternal perishing, the circumstances as they appeared to him then may have made his judgment just, but for any other thereupon to apply that case to others will not be safe; for, though a judge may *in causa versanti* interpret the law, that interpretation makes not law.[6]

(2) As, therefore, in the former distinctions we spoke of some approaches to the act of self-killing, so will we in this pause a very little upon two such steps. The first shall be of the prophet in the Book of Kings who bade a stranger strike him and, because he would not, pronounced a heavy judgment upon him, which was presently executed; and then he importuned another to do it, who did it thoroughly, for he wounded him with the stroke.[7] This was, to common understanding, an unnatural thing, that so holy a man should make such means to have his body violated, and so it seems the first apprehended it, however it pleased God to enlighten the second. This I produce not as though the prophet inclined to it of his own disposition, for it is expressly in the text that God commanded him to do it.

But because this is the only place in all the Scriptures where those which offer or desirously admit violence to their own bodies are said to have done it by the express motion of

[6] Acacius, *De privilegiis,* lib. 1, cap. 3. [7] I Kings 20:35.

5022 the] the the *M*
5025 Ochin's *Ed.*] Ochius *Q*, Ochin *M*
5027 reverend] reuered *M*
5038 pronounced] pronounce *Q*
5049 which] y^t *M*

God, I collect from it that it is not without some boldness if others affirm, without authority of the text, that the death of Samson and others had the same foundation, when it appears by this that God, when He would have it understood so, is pleased to deliver it plainly and expressly.

(3) The next, before we come to those who entirely killed themselves, is Jonas, who, by often wishing his own death and moving the mariners to cast him out into the sea, made many steps towards the very act. I know that it is everywhere said that those words "Take me and cast me into the sea"[8] proceeded from a prophetic spirit, and St. Jerome saith that in this prophetic spirit he foresaw that the Ninevites would repent, and so his preaching would be discredited.[9] But if this be so, must he not also, in the same prophetic spirit, see that their repentance must be occasioned by his going thither and preaching there? And if this persuading to his destruction (being now innocent in their understanding, for they prayed, "Lay not innocent blood upon us"[10]) were from divine motion, shall we dare to impute also to like motions and spirit his angry importuning of death? "Take, I beseech thee, my life from me, for it is better for me to die than to live";[11] and after, he wished from his heart to die and said, "I do well to be angry unto the death."[12]

St. Jerome calls him *sanctum Ionam*, and when Lyra observes that he had not done so to any of the other prophets, he concludes that this testimony needed most in Jonas, who, by

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[8] 1:12.

[9] Proemium in Commentario in Iona.

[10] Verse 14.

[11] 4:3.

[12] [4:]9.

5053 when it] where it *M*
5056 killed] kill *M*
5059 towards] toward *M*
5061 saith] says *M*
5067 prayed] sayd *M*
5069 motions] motion *M* - his] by *M*
5070 for] to *M*
5071 to live] liue *M*
n.11 4:3] 43 *Q M*

his many reluctations against God's will, might else fall into some suspicion of eternal perishing;[13] which, since we must be far from fearing in so eminent and exemplary a type of Christ, and yet have no ground to admit any such particular impulsion of God's spirit, as Jerome and Lyra pronounce him holy, for all these reluctations, so may we esteem him advised and ordinate and rectified, for all these approaches which, in wishing and consenting, he made to his own death.

(4) Of those which in the Scriptures are registered to have killed themselves, Samson is the first,[14] a man so exemplar that not only the times before him had him in prophecy, for of him it is said, "Dan shall judge his people,"[15] and the times after him more consummately in Christ, of whom he was a figure, but even in his own time other nations may seem to have had some type or copy of him in Hercules. His fact of self-killing is celebrated by the church to everlasting memory as the act of a martyr; and as very many others in their homilies and expositions, so that renowned Paulinus says, God send me the death of Samson and Samson's blindness, that I may live to God and look to God.[16]

And this general applause and concurrence in the praise of the fact hath made many think, or at least write, that he purposed not to kill himself, being loath either to depart from their opinion who extol him, or to admit anything which may countenance that manner of dying, of which persuasion two very learned men labor to seem to be.[17] But besides that such an exposing of himself to unevitable danger is the same fault as self-homicide (when there is any fault in it) the very text is

[13] Lyra, Prologus in Iona.

[14] Iudicum 16.

[15] Pererius in Genesim 49:16.

[16] Paulinus, Severo epistola 4.

[17] Franciscus de Victoria in *Relectione de homicidio;* Gregorius de Valentia, tom. 3, disp. 5, q. 8, punctum 2.

5079 from] *omit M*
5082 these] those *M*
5083 these] those *M*
5087 before him] before *M*
5090 had] *omit M*
n.14 *Headnote in Q*
n.17 in] *omit M* de Valentia] Valent *Q*

against them, for Samson died with these words in his mouth: "Let me lose my life with the Philistims."[18] And though sometimes these authors add that he intended not his own death principally, but accidentally (as Calvin also says that St. Paul did not desire death for death's sake, but to be with Christ[19]), this can remove no man from our side, for we say the same: that this may be done only when the honor of God may be promoved by that way and no other.

Therefore, to justify this fact in Samson, St. Augustine, equally zealous of Samson's honor and his own conscience, builds still upon his old foundation, that this was by the special inspiration from God,[20] which, because it appears not in the history, nor lies in proof, may with the same easiness be refused as it is presented. To give strength to this opinion of Augustine, our countryman Sayre presents one reason preceding the fact,[21] and Pedraza the Spaniard another subsequent.[22] The first is that he prepared himself to it by prayer. But in this prayer you may observe much humanity, and weakness, and self-respect: "O Lord," saith he, "I beseech thee, strengthen me at this time only, that I may be avenged of the Philistims for my two eyes." The second reason is that, because he effected that which he desired, it is to be presumed that God restored him his strength to that end which he asked it. But besides that in the text it appears that his hair before that time was begun to be grown out again,[23] and so his strength somewhat renewed, doth this prove any impulsion, and incitement, and prevention of the Holy Ghost to that particular act,

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[18] Iudicum 16:30.

[19] Supra [p. 119].

[20] Augustine, *De civitate Dei*, lib. 1, cap. 21.

[21] Sayre, *Thesaurus casuum conscientiae*, lib. 7, cap. 9, n. 9.

[22] Pedraza, praecepto 5 (hispanica).

[23] Verse 22.

5105 with] with not *M* (*second word marked for deletion*)
5112 promoved] premoued *M*
5126 he effected] effected *M*
5129 so] to *M*
n.19 *Omit M*
n.20 lib. 1] *omit Q* 21 *Ed.*] 12 *Q M*

or rather only an habitual accompanying and awaking him to such actions by which God might be honored and glorified whensoever any occasion should be presented?

When, therefore, he felt his strength in part refreshed, and had by prayer entreated the perfecting thereof, seeing they took continual occasion from his dejection to scorn and reproach his God, burning with an equal fervor to revenge their double fault and to remove the wretched occasion thereof, he had, as a very subtle author says, the same reason to kill himself which he had to kill them, and the same authority, and the same privilege and safeguard from sin.[24] And he died, as the same man says, with the same zeal as Christ, unconstrained; for in this manner of dying, as much as in anything else, he was a type of Christ.[25]

(5) The next example is Saul. And whether he did perfect and consummate the act of killing himself, or the Amalekite contribute his help, it makes no difference to our purpose, but that the latter was true may well enough consist with the relation of the history in the first place,[26] and it appears to be the more likely and probable out of the second.[27] And by Josephus it is absolutely so delivered,[28] and the *Scholastic History* saith also that Saul was too weak to force the sword through his body.[29]

Two things use to be disputed of Saul, whether he were saved or no, and whether, if he perished, it was for impenitence testified or presumed by this act of his. The Jews are generally indulgent to him, and the Christians generally severe upon this reason, that it is said of him, Saul died for his transgres-

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[24] Franciscus Georgius, *Problemata*, 438.

[25] Pererius in Genesim 49:16.

[26] I Samuel, [cap.] ultimum.

[27] II Samuel 1.

[28] *Antiquitates*, lib. 6, cap. 14.

[29] *Historia scholastica*.

5137 dejection] direction *M*
5152 so] *omit M*
5153 saith] says *M*
n.28 6 . . . 14 *Ed.*] 7 . . . 15 *Q M*
n.29 *Omit M*

sions against the Lord and His word, and asking counsel of a witch.[30] But this doth not necessarily conclude an impenitence or a second death. For the Jews say that, believing the sentence of Samuel in the apparition, and accepting that decree as from God, he repented his former life, and then presented and delivered up himself and his sons, conformably to the revealed will of God, there in the field to be sacrificed to Him, understanding Samuel's words "you shall be with me" to be spoken not generally of the state of the dead, but of the state of the just, because both Samuel himself was so, and so was Jonathan, whose condition in this promise of being with Samuel was the same as his father's. And therefore, saith Lyra, all Jews and some Christians agree, that lest by his reproach dishonor might redound upon God, a good and zealous man may kill himself, as Samson did, and the virgins; and he addeth, if other reasons were not sufficient to excuse Saul, this also might justly be applied to him, that he did it by divine instinct.[31] Out of which I observe these two things: that he presumes there are other reasons sufficient in some cases, whether they were in Saul's case or no; and then the reason upon which Lyra presumes he died well, because the contrary is not declared in Scriptures, nor determined by the church.

And Saul hath a good testimony of sanctity in this act from Mallonius: that, as Christ died when He would, so did Saul, thinking it dishonorable to die by the hand of his and God's enemies.[32] That argument which Burgensis bringeth to the contrary suffereth more force and violence in being

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[30] I Chronicles 10:13.

[31] Lyra.

[32] Notae in *Sindone,* cap. 21, n. 6.

5163 apparition] apparitions *Q*
5170 in] of *M*
5175 addeth] ads *M*
5180 died] did *M*
5185 enemies] Enemy *M* bringeth] brings *M*
5186 suffereth] suffers *M*
n.30 *Omit M*
n.31 *Omit M*

brought in than it giveth strength to his opinion. It is that, if the fact were justifiable in Saul, it had been so, too, in the Amalekite, if his profession to David were true, that he had killed Saul, and, consequently, David unjust in that execution. But, besides that that Amalekite had no conscience nor inward knowledge of Saul's just reasons, nor other warrant but his commandment, which might, and was to him likely, to proceed from Saul's infirmities, it might well appear to David, by his coming to tell him the news, that he had human respects in doing it, and a purpose only to deserve well of David. And when both judge and prisoner are innocent, ofttimes the executioner may be a murderer.

And such human respects, of weariness, and despair, and shame, and fear, and fidelity to his master, and amazement, and such, stand in the way between Saul's armor-bearer and all excuses, to our understanding. For though the phrase of Scripture impute nothing to him for that fact of killing himself, yet I have found none that offer any particular excuse in his defense.

(6) Neither do I find anything to excuse Achitophel's death, though, as I said of the other, the history do not accuse that particular fact.[33] The text calls his counsel good, and it seems he was not transported with passion, because he set his house in order;[34] and he was buried in his father's grave, when Absolon, slain by another's hand, was cast into a pit. But if it were upon a mere despite of his own disgrace, or fear of ill success, or upon any self-respect, without proposing God's glory, and he repented not, he perished.

(7) Of Judas, the most sinful instrument of the most merciful work, the common, though not general, opinion is that he killed himself,[35] but whether by hanging or no is more contro-

[33] II Samuel 17[:23].

[34] Verse 14.

[35] Matthew 27:5.

5187 giveth] giues *M*
5202 excuses] excuse *M* understanding] understandings *Q*
5212 a] *omit M* despite] dispute *Q*
n.33 *Headnote in Q* 17 *Ed.*] 15 *Q M*

verted. For from the words in the Acts, that he threw himself down headlong and burst asunder, and his bowels gushed out,[36] Euthymius thinks that he was rescued whilst he hanged, and carried away, and that after that he killed himself by throwing himself headlong.[37] And Brentius leaves that indifferent to us to think what we will thereof.[38] But it seems, by Oecumenius, that he did not only overlive this hanging, but that he grew to so enormous a bigness and burden to himself, that he was not able to withdraw himself out of a coach's way, but had his guts crushed out so (which he receives from Papias, the disciple to St. John, whose times cannot be thought ignorant or incurious of Judas' history).[39] And it is there said further that by others it was said that, being swollen to that vastness, and corrupted with vermin, he laid himself down upon his field, and there his guts broke out; and this Theophylact follows.[40]

And it falls out very often that some one father, of strong reputation and authority in his time, doth snatch and swallow some probable interpretation of Scripture, and then, digesting it into his homilies and applying it in dehortations and encouragements as the occasions and diseases of his auditory, or his age, require, and imagining thereupon delightful and figurative insinuations, and setting it to the music of his style—as every man which is accustomed to these meditations shall often find in himself such a spiritual wantonness and devout straying into such delicacies—that sense which was but probable grows necessary, and those who succeed had rather enjoy his wit than vex their own, as oftentimes we are loath to change or leave off a counterfeit stone by reason of the well-setting thereof. By this means, I think, it became so generally to

[36] Acts 1:18.

[37] Euthymius in Commentario in Mathaeum.

[38] Brentius in Actis 1:18.

[39] Oecumenius in *Collectis* [*in*] *Acta Apostolorum.*

[40] Theophylact in Matthaeum 27.

5218 Acts] Act *M*
5232 this] *omit M*
5241 these] theyr *M*

be believed that the fruit which Eve ate was an apple, and that Lot's wife was turned to a pillar of salt, and that Absolon was hanged by the hair of the head, and that Jepthe killed his daughter, and many other such which grew current not from an evidence in the text, but because such an acceptation was most useful and appliable. Of this number, Judas' case might be.

But if it were not, that act of killing himself is not added to his faults in any place of Scriptures, no, not in those two psalms of particular accusations and bitter imprecations against him,[41] as they are ordinarily taken to be prophetically purposed and directed.

And even of this man, whose sin, if any can exceed mercy, was such, Origen durst hope, not out of his erroneous compassion and sinful charity by which he thinks that even the Devil shall be saved, but out of Judas' repentance. He says the Devil led him to the sin and then induced him to that sorrowfulness which swallowed him;[42] but speaking of his repentance, he says those words "when Judas saw that he was condemned" belong to Judas himself, for Christ was not then condemned,[43] and upon this conscience and consideration began his repentance. "For it may be," saith Origen, "that Satan, which had entered into him, stayed with him till Christ was betrayed, and then left him, and thereupon repentance followed"; and "perchance," says he, "he meant to prevent and go before his Master, who was to die, and so to meet Him with his naked soul, that he might gain mercy by his confession and prayers." And Calvin, though his purpose be to enervate and maim (or at least declare it to be so defective) that repentance which is admitted for sufficient in the Roman Church, says

[41] Psalmi 69 et 109.

[42] Ex notis Emmanuelis Sa in Matthaeum 27.

[43] Aquinas, *Catena aurea.*

5251 which] *omit M*
5252 in the text] *omit M*
5264 that] the *M*
5269 saith] sayes *M*
5272 meant] ment *M*, went *Q*

that in Judas there was perfect contrition of heart, confession of the mouth, and satisfaction for the money.[44]

But Petilian, against whom St. Augustine writes, proceeded further in justification of Judas' last act than any; for he said that, in suffering death when he repented, and so was a confessor, he became a martyr,[45] which opinion, being pronounced singularly and undefensibly, St. Augustine answers as cholericly, *laqueum talibus reliquit.*[46] Yet St. Augustine himself confesseth that an innocent man should more have sinned in such an act than Judas did, because in his execution there were some degrees of justice.[47]

But of his actual impenitence I purposed not to speak, nor of his repentance, but only to observe to you that this last fact is not imputed to him, nor repentance said to be precluded thereby.

(8) For the passive action of Eleazar,[48] none denies but that that endangering of himself was an act of virtue; yet it was a forsaking and exposing himself to certain destruction, for every elephant had thirty-two men upon him and was guarded with one thousand foot and five hundred horse, and this which he slew was, in his opinion, the king's elephant, and therefore the better provided. Howsoever he might hope to escape before, the very act of killing the elephant by creeping under it was a direct killing of himself, as expressly as Samson pulling down the house. And the reasons of this action are rendered in the text to have been to deliver his people and to get a perpetual name.

And this fact doth St. Ambrose extol by many glorious circumstances, as that he flung away his target which might

[44] In Matthaeum 27:4.

[45] 23, q. 5, *Tu dixisti*, Glossa.

[46] Ibid.

[47] *Si non licet.*

[48] I Maccabees 6:46; Josephus, *Antiquitates*, lib. 12, cap. 9.

5279 the money] money *M*
5301 Samson] Samsons *M*
5305 doth] do *M*
n.46 Ibid.] Ibid. Si non licet *Q M* (*notes 46 and 47 combined*)
n.48 *Headnote in Q* 9 *Ed.*] 15 *Q M*

have sheltered him, that despising death, he forced into the midst of the army, and *inclusus ruina magis quam oppressus, suo est sepultus triumpho,* and that by death he begot peace as the heir of his valor. And as very many schoolmen have intended and exercised their wits in the praise of this action, so Cajetan gives such a reason thereof as is appliable to very many self-homicides: that to expose ourselves to certain death, if our first end be not our own death, but common good, it is lawful; for, saith he, our actions which be morally good or bad must be judged to be such by the first reason which moves them, not by any accident or concomitance accompanying or succeeding them, though necessarily.[49] And this resolution of Cajetan will include many cases and instances which are headlongly by intemperate censures condemned.

(9) The fall of Razis, which is the last example, is thus reported: He was besieged and fired; willing to die manfully and escape reproach unworthy of his house, he fell upon his sword; for haste, he missed his stroke, and threw himself from the castle wall, yet rose up again and ran to a high rock, took out his own bowels, and threw them among the people, calling upon the Lord of life and spirit, and so died.[50] Which act the text accuseth not, nor doth St. Thomas accuse it of anything else but that it was cowardliness,[51] which also Aristotle imputes to this manner of dying,[52] as we said before.[53] But either he spoke at that time serviceably and advantageously to the point which he had then in hand, or else he spoke *ut plurimum,* because for the most part infirmities provoke men to this act.

For St. Augustine, who argues as earnestly as Aristotle that this is not greatness of mind, confesseth yet that in Cleombrotus it was, who only upon reading Plato his *Phaedo* killed himself;

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[49] Caietanus in 16 Iudicum.

[50] II Maccabees 14[:37].

[51] Aquinas, 2a2ae, q. 64, a. 5.

[52] Aristotelis *Ethica,* lib. 3, cap. 7.

[53] Supra [p. 114].

5335 is] *omit M*
n.50 *Headnote in Q*
n.53 *Omit M*

for, saith Augustine, when no calamity urged him, no crime either true or imputed, nothing but greatness of mind moved him to apprehend death and to "break the sweet bands of this life." And though he add that it was done rather *magne* than *bene*,[54] yet, by this, that which we seek now is in confession, that sometimes there is in this act greatness and courage, which, upon the same reason which moved Aristotle and all the rest, which is to quench in men their natural love to it, he is loath to afford in too many cases. For he says that, except Lucrece, it is not easy to find any example worth the prescribing or imitating, but Cato, not because he only did it, but because, being reputed learned and honest, men might justly think that that was well done, and might well be done again, which he did. Yet for all this, he is loath to let Cato's act pass with so much approbation, for he adds that yet many of his learned friends thought it a weakness to die so.[55] And this he doth because when men have before them the precedent of a brave example, they contend no further than what he did, not why.

For it is truly said, examples do not stop nor consist in the degree where they begun, but grow, and no man thinks that unworthy for him which profited another.[56] Yet St. Augustine, though upon this reason loath to give glory to many examples, allows all greatness and praise to Regulus, of whom we spoke before,[57] though, to my understanding, there are in it many impressions of falsehood and of ostentation, from all which Cato's history is delivered. And, to end this point, whether it be always pusillanimity, Laertius says that in Antisthenes the philosopher *videbatur firme mollius* that, lying extreme sick and Diogenes asking him if he lacked a friend (meaning, to kill

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[54] Augustine, *De civitate Dei*, lib. 1, cap. 22.

[55] Cap. 23.

[56] Velleius Paterculus, De morte Gracchi.

[57] Supra [p. 65].

5337 saith] S^t *M* when] where *M*
5341 which] *omit M*
5349 that that] that it *M*
5352 to die] to let him die *Q*
5358 profited] profiteth *Q*
n.57 *Omit M*

him), and offering him also his dagger to do it himself, the philosopher said he desired an end of pain, but not of life.[58]

As, therefore, this fact of Razis may have proceeded from greatness, so is it by Lyra excused from all sin, by reasons appliable to many other; for he says, either to escape torment, by which probably a man might be seduced to idolatry, or to take away occasion of making them reproach God in him, a man may kill himself, for, saith he, both these cases *ordinantur in Deum.* And this Francis à Victoria allows as the more probable opinion;[59] and Sotus[60] and Valentia[61] follow Thomas his opinion herein. And Burgensis condemns it upon this presumption, that he could not do this for love of the common good, because this could not redeem his people, being already captive; so that his accusing him helps us thus much, that if by his death he could have redeemed them, he might lawfully have done it.

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[58] Diogenes Laertius, lib. 6.

[59] *Relectio de homicidio,* resp. ad ultimum argumentum.

[60] Sotus, lib. 2 *De iustitia,* q. 3, a. 8.

[61] Valentia, tom. 3, disp. 5, q. 8.

5370 excused] exacted *M*
5373 to take] take *Q*
5377 his] *omit M*

Conclusion

And this is far as I allowed my discourse to progress in this way, forbidding it earnestly all dark and dangerous secessions and divertings into points of our free will and of God's destiny. Though allowing many ordinary contingencies to be under our election, it may yet seem reasonable that our main periods—of birth, of death, and of chief alterations in this life—be more immediately wrought upon by God's determination. It is usefully said and appliable to good purpose (though by a wicked man, and with intention to cross Moses) that man was made of shadow, and the Devil of fire.[1] For as shadow is not darkness, but grosser light, so is man's understanding in these mysteries not blind, but clouded. And as fire doth not always give light (for that is accidental, and it must have air to work upon), but it burneth naturally, so that desire of knowledge which the Devil kindles in us—as he doth as willingly bring bellows to inflame a heart curious of knowledge, as he doth more ashes to stupefy and bury deeper a slumbering understanding—doth not always give us light, but it always burns us, and imprints upon our judgment stigmatical marks, and at last sears up our conscience.

If their reasons which differ from me and my reasons be otherwise equal, yet theirs have this disadvantage, that they

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[1] *Alcoranum,* azoara 65.

5385 secessions] successions *M*
5386 divertings] diverting *M*
5387 contingencies] contiñgenses *M*
5394 grosser] a grosser *M*
5397 burneth] burnes *M*
5404 their] then *Q*

fight with themselves and suffer a civil war of contradiction. For many of their reasons incline us to a love of this life and a horror of death, and yet they say often that we are too much addicted to that naturally. But it is well noted by Alcuinus (and I think from St. Augustine) that though there be four things which we must love, yet there is no precept given upon any more than two, God and our neighbor;[2] so that the other, which concerns ourselves, may be pretermitted in some occasions.

But because, of the benefits of death enough hath been occasionally interserted before, having presented Cyprian's encouragement to it, who, out of a contemplation that the whole frame of the world decayed and languished, cries to us, *Nutant parietes*—the walls and the roof shake, and wouldst not thou go out? Thou art tired in a pilgrimage, and wouldst thou not go home?[3]—I will end with applying Ausonius' thanks to the emperor to death, which deserveth it better: Thou providest that thy benefits, and the good which thou bringest, shall not be transitory, and that the ills from which thou deliverest us shall never return.[4] Since, therefore, because death hath a little bitterness, but medicinal, and a little alloy, but to make it of more use, they would utterly recline and avert our nature from it. As Paracelsus says of that foul, contagious disease which then had invaded mankind in a few places and since overflown in all, that for punishment of general licentiousness, God first inflicted that disease, and when the disease would not reduce us, he sent a second, worse affliction, which was ignorant and torturing physicians,[5] so I may say of this case, that in punishment of Adam's sin, God cast upon us an infectious death, and since hath sent us a worse plague of men, which accompany it

[2] Alcuinus, *Epistola* 23.

[3] Cyprianus, *Sermo de mortalitate*.

[4] *Gratiarum actio de consolatu*.

[5] *Chyrurgia magna*, de ulceribus, [tract. 1,] cap. 8.

5413 concerns] concern *Q* (*but catchword is* concernes)
5422 deserveth] deserves *M*
5429 overflown] overflowes *M*
n.5 cap. 8] *omit Q*

with so much horror and affrightment, that it can scarce be made wholesome and agreeable to us.

That which Hippocrates admitted in cases of much profit and small danger, they teach with too much liberty: that worse meat may be given to a patient so it be pleasanter, and worse drink so it be more acceptable.[6] But, though I thought it therefore needful to oppose this defensative, as well to reencourage men to a just contempt of this life and to restore them to their nature, which is a desire of supreme happiness in the next life by the loss of this, as also to rectify and wash again their fame, who, religiously assuring themselves that in some cases, when we were destitute of other means, we might be to ourselves the stewards of God's benefits and the ministers of His merciful justice, had yet, being, as Ennodius says, innocent within themselves, incurred *damnum opinionis*,[7] yet, as I said before, I abstained purposely from extending this discourse to particular rules or instances, both because I dare not profess myself a master in so curious a science, and because the limits are obscure and steepy and slippery and narrow, and every error deadly, except where, a competent diligence being foreused, a mistaking in our conscience may provide an excuse.

As to cure diseases by touch or by charm—both which one excellent chirurgeon[8] and one excellent philosopher[9] are of opinion may be done, because what virtue soever the heavens infuse into any creature, man, who is all, is capable of, and, being born when that virtue is exalted, may receive a like impression, or may give it to a word or character made at that instant, if he can understand the time—though these, I say, be forbidden by diverse laws, out of a just prejudice that vulgar owners of such a virtue would misemploy it, yet none mislikes that the kings of England and France should cure one sickness

[6] *Aphorismi*, lib. 2.38.

[7] Ennodius, *Ad cellulanos*.

[8] Paracelsus, *Chyrurgia magna*, tractatus 2, cap. 8, et de trans., cap. 10.

[9] Petrus Pomponatius, *De incantationibus*, cap. 4.

5443 therefore] more therefore *M* reencourage] encourage *M*

5461 exalted] exacted *Q; corrected by hand* by such means, nor that the kings of Spain should dispossess demoniac persons so,[10] because kings are justly presumed to use all their power to the glory of God, so is it fit that this privilege of which we speak should be contracted and restrained.

For that is certainly true of this which Cassianus saith of a lie, that it hath the nature of hellebore, wholesome in desperate diseases, but otherwise poison; though I dare not aver with him that we are in desperate diseases whensoever we are *in ingenti lucro, aut damno, et in humilitate ad evitandam gloriam.*[11] Howsoever, if Cassianus mistake that, and we this, yet as he and Origen and Chrysostom and Jerome are excused for following Plato's opinion that a lie might have the nature of medicine, and be admitted in many cases, because in their time the church had not declared herself in that point, nor pronounced that a lie was naturally ill,[12] by the same reason am I excusable in this paradox. Against the reasons whereof, and against charity, if prejudice, or contempt of my weakness, or misdevotion have so precluded any that they have not been pleased to taste and digest them, I must leave them to their drowsiness still, and bid them enjoy the favor of that indulgent physician: *Qui non concoxit, dormiat.*[13]

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[10] Cassanaeus, *Catalogus gloriae mundi*, pars 5, consideratio 1.

[11] Cassianus, lib. 17, à cap. 17 ad 24.

[12] *Observationes in Cassianum*, in fine libri, fol. 740.

[13] Cornelius Celsus, *Sententiae*, [I] 15.

5467 kings] King *M*
5468 demoniac] Daemonaique *M*
5471 saith] sayes *M*
5473 aver] auert *M*
n.11 24] 25 *Q*

COMMENTARY

This commentary concentrates on three tasks: first, that of glossing words and passages, and of translating Latin passages, for the benefit of readers whose expertise lies elsewhere than seventeenth-century texts; second, to offer extensive material on the intellectual contexts of Donne's arguments and on the sources he used in forming his arguments; and third, to point out and to justify the more important editorial decisions made in constructing the text. *Biathanatos* contains many contrasts and parallels with Donne's other writings, but their citation is restricted to instances which are themselves interesting, and which serve to illuminate the passage at hand.

Peripheral information, e.g., biographical detail on writers cited, is given in proportion to its intrinsic interest and its importance to the immediate context. Much of this information, as well as much of that used in glossing technical vocabulary, comes from secondary sources, and we are under heavy obligation to a number of standard reference works: Adolf Berger, *Encyclopedic Dictionary of Roman Law,* Transactions of the American Philosophical Society, 43 (1952); the *Dictionary of National Biography,* ed. Leslie Stephen and Sidney Lee (1885–1912); the *Dictionnaire de droit canonique,* ed. R. Naz (1935–1965); the *Dictionnaire de théologie catholique,* ed. A. Vacant et al., 2d ed. (1908–1950); *The Encyclopedia of Religion and Ethics,* ed. James Hastings (1908–1926); *Herzog's Realenzyklopädie für protestantische Theologie und Kirche,* 3d ed., ed. D. Albert Hauck (1896–1913); H. Hurtor, S. J., *Nomenclator literarius theologiae catholicae,* 4th ed., rev. Fr. Pangerl, S. J. (1926); C. G. Jöcher, *Allgemeines Gelehrten-Lexikon* (1750); *Jowitt's Dictionary of English Law,* 2d ed., ed. John Burke (1977); the *Lexikon für Theologie und Kirche,* ed. J. Höfer and K. Rahmer (1957–1968); Jacques Quétif and Jacques Echard, *Scriptores Ordinis Praedicatorum* (1719–1723); Friedrich Carl von Savigny, *Geschichte des römischen Rechts im Mittelalter*, 2d ed. (1834–1851).

For what is of immediate import to Donne's arguments, and for the great proportion of the material he uses, as he puts it, "for ornament and illustration," however, the primary sources have been consulted, and his use of them has been compared with original texts. All the translations are our own, and are made from the editions cited, except for classical authors, who are translated from Loeb and Teubner texts, and church fathers, who are translated from the *Patrologia Latina* and the Latin versions in the *Patrologia Graeca*. Quotations from earlier English texts are given in modernized spelling and punctuation.

Quotations of Donne's poetry are from the modern-spelling edition of A. J. Smith, *The Complete English Poems* (Harmondsworth, Middlesex, 1973). Donne's prose, with the spelling and punctuation modernized, is cited by short title and reference to the following editions:

Essays	*Essays in Divinity*, ed. Evelyn M. Simpson (Oxford, 1952)
Ignatius	*Ignatius His Conclave*, ed. T. S. Healy, S. J. (Oxford, 1969)
Letters	*Letters to Severall Persons of Honour: written by John Donne* (London, 1651)
Pseudo-Martyr	*Pseudo-Martyr . . . That those which are of the Roman religion in this kingdom may and ought to take the Oath of Allegiance* (London, 1610)
Sermons	*The Sermons of John Donne*, ed. George R. Potter and Evelyn M. Simpson, 10 vols. (Berkeley and Los Angeles, 1953–1962)

Other abbreviations used are as follows:

Azorius	*R.P. Ioannis Azorii . . . Institutiones morales*, 3 vols. (Cologne, 1602–1612)

Carbo	*Summa summarum casuum conscientiae sive totius theologiae practicae . . . auctore Ludovico Carbone a Costacciaro* (Venice, 1606)
JEGP	*Journal of English and Germanic Philology*
Keynes	Geoffrey Keynes, *A Bibliography of Dr. John Donne,* 4th ed. (Oxford, 1973)
MLN	*Modern Language Notes*
OED	*Oxford English Dictionary,* ed. James A. Murray et al., 10 vols. and suppl. (1888–1933)
PG	*Patrologiae cursus completus . . . series Graeca,* ed. J.-P. Migne, 161 vols. (1857–1866)
PL	*Patrologiae cursus completus . . . series Latina,* ed. J.-P. Migne, 221 vols. (1878–1890)
RenQ	*Renaissance Quarterly*
RES	*The Review of English Studies*
Sayre	*Clavis regia sacerdotum, casuum conscientiae, sive theologiae moralis thesauri . . . authore R.P.D. Gregorio Sayro Anglo* (Venice, 1605)
SB	*Studies in Bibliography*
Sommervogel	*Bibliographie de la Compagnie de Jésus,* ed. Carlos Sommervogel et al., 10 vols. plus suppls. (Brussels, 1890–1932)
ST	St. Thomas Aquinas, *Summa theologiae,* in *Opera omnia,* vols. I–IV (Parma, 1852–1854)
Walton	Izaak Walton, "The Life of Dr. John Donne," in *The Lives . . . Written by Izaak Walton* (London, 1670)

1 *Biathanatos.* Cf. Greek *βιαιοθάνατος*, the victim of an unnatural death; the Latinized form "biaeothanatos" is used by Tertullian, *De anima,* 57 (*PL* 2, 792C), to designate persons who died from other than natural causes. Donne probably encountered the word as "biothanatos"

in St. John Cassian, *Collationes*, II.5 (see 3870, below, where he uses it in this form). In the edition of Cassian he used, there is the following gloss: "In Greek *biothanatos* is the term for one who succumbs to a violent, rather than a natural death, for *βία* means 'force' and *θάνατος* 'death.' . . . However, in this place in Cassian, as in Servius and Lampridius, a *biothanatos* is one who has taken his own life, that is, *αὐτοθάνατος* in Greek; the decretals of councils prohibited oblations offered for them" (on the source, see note to 5476, below). In one of his sermons, Donne referred to prodigality as a "*peccatum biathanaton*, a sin that murders itself" (*Sermons*, I, 155).

10 *Non . . . inservire.* "I do not insist on the truth of everything herein, but I wish to serve the readers' uses." The epigraph paraphrases a passage in the prologue to Book I of John of Salisbury's *Policraticus, sive de nugis curialium* (1159; *PL* 199, 387C). On another use of this book by Donne, see Evelyn Simpson, "Two Manuscripts of Donne's *Paradoxes and Problems*," *RES*, 3 (1927), 136.

11 *To the noblest knight. . . .* This is the autograph letter of presentation Donne sent with M; a copy was also printed in *Letters*, sigs. D2^{v}–D3. Edward Herbert (1583–1648) was the son of Donne's friend Magdalen Herbert and brother of the poet George Herbert; he was knighted in 1603 and created first Lord Herbert of Cherbury in 1629. Himself a poet and philosopher, Herbert had, in R. C. Bald's estimate, "a mind that moved and thought as Donne's did" (*John Donne: A Life* [Oxford, 1970], p. 184). Donne's verse epistle "To Sir Edward Herbert, at Julyers" (1610) is a reply to Herbert's satire "The State-Progress of Ill."

21 *complexions.* Temperaments.

32 *To Sir Robert Ker. . . .* Written in 1619, when Donne was preparing to go abroad as chaplain to a diplomatic mission, and printed in *Letters*, sigs. D3–D3^{v}. Ker (1578–1654; created Earl of Ancrum in 1633) was a Scot who came to England with King James in 1603; he and Donne became close friends almost immediately and remained so.

45 *some particular friends.* From an inscription in the Houghton Library (Harvard) copy of Q, Ernest Sullivan identified two of these early readers as William Cavendish, first Duke of Newcastle, and Sir Gervase Clifton; both were at St. John's College, Cambridge, in 1608 (*SB*, 31 [1978], 217ff.).

61 *To the Right Honorable. . . .* Donne the Younger's letter of dedication with Q. Philip Herbert (1619–1669; no close relation to Edward) was prominent on the parliamentary side during the Civil War and Interregnum; he became the fifth Earl of Pembroke on his father's

death in 1650, and was president of the Council of State in 1651. Copies of Q given by Donne's son to other patrons regularly contain three to five handwritten alterations in this letter and sometimes a correction of one word at 5461 (see the article cited in the previous note).

67 *facilitating.* Clarifying. *issues of.* Entrances into (cf. Psalm lxviii 20 in the King James version).

75 *Committee.* The committee of fifteen, appointed by Parliament in 1642 to oversee the security of the realm.

89 *Da . . . morir.* Portuguese for "To dare death gives life"; perhaps it is proverbial, but we have not traced the source.

1085 *Beza.* Théodore de Bèze (1519–1605), French scholar and prominent Calvinist theologian; cited is his autobiographical letter to Volmarius Rufus, prefixed to Latin editions of Bèze's *Confessio christianae fidei* (1559, etc.). Bèze describes his impulse as thwarted by God's intervention in sending the uncle to free him "from the devil's very jaws."

1088 *scurf.* Scaling condition of the scalp.

1098 *sinful concurrence.* Consent to sin.

1099 *brave.* Splendid, showy (cf. Donne's Satire III, line 1).

1100 *any.* Q's reading, which is graphically confusible with M's "my"; cf. 3458 and 4722, passages where M's "my" for Q's "any" is clearly in error. The M reading would suggest Donne's recognition of his suicidal urge as an "affliction" (on this, see D. R. Roberts, "The Death Wish of John Donne," *PMLA*, 62 [1947], 958–76, where Donne's morbid propensity is argued without recourse to adopting M's reading in this passage). But since Donne will later argue that the wish to die is a natural human desire for ease and relief, it seems more probable that Q's reading is correct; "any affliction" is the natural ground for desiring death as a relief from it.

1105 *exagitate.* Debate, criticize.

1108 *Scis lapsum. . . .* Paraphrased from the *Expositiones et doctrinae sacrae* by St. Dorotheus of Gaza, the "Archimandrite" (*PG* 88, 1690–91). Donne used the Latin translation by Hilario Veronensis, which he probably found in a volume titled *Monumenta sanctorum patrum orthodoxographa* (Basel, 1569), compiled by the Lutheran theologian Ioannes Grynaeus. It contains a number of texts Donne used in *Biathanatos*: Latin translations of Agapetus and Ignatius of Antioch, as well as the letters of Ennodius, Paulinus of Nola, and others.

1111 *God hath. . . .* Paraphrased from the *Monomachia Iesu Christi* (1607), a set of notes for forty rhetorically ornate sermons on Christ's temptation in the wilderness, composed by the then-celebrated Franciscan preacher Philippe Bosquier.

1116 *Tertullian.* Here, and elsewhere in *Biathanatos,* Donne cites Tertullian from epitomes of his treatises in the *Medullae theologiae patrum pars prima* (1598), made by Abraham Scultetus, a Silesian reformer, in order to demonstrate the consonance of patristic thought and Protestantism. Donne used the book also for material from Cyprian and Irenaeus.

1121 *increpation of the fact.* Rebuke of the deed.

1122 *Climacus.* Ioannes Climacus, a sixth-century ascetic writer named from the work Donne cites (Greek *klimax,* ladder); the passage is at *PG* 88, 670A.

1126 *Basil.* Bishop of Caesarea, 370–379; the work cited is a series of maxims and elaborations on ascetic subjects, usually titled *Regulae fusius tractatae.* In the passage (*PG* 31, 927A) Basil argues that an ascetic may find worse sinners than himself in the world, and so underrate his own sinfulness; alone, however, he cannot make comparisons, and must confront his sins for what they are.

1129 *accidents.* Symptoms of illness.

1131 *choleric.* Temperamentally prone to irascibility and vindictiveness, owing to an excess of yellow bile in the system. Donne's citation is to Petrus Forestus (Pieter van Forest), *Observationum et curationum, sive medicinae theoricae et practicae, liber XXX . . . de venenis.*

1132 *Ne . . . pertingas.* "Don't judge your neighbor until you stand in his place." This injunction, attributed to Rabbi Hillel, and that of Judas Tabaeus cited immediately below, are quoted in *Trihaeresium* (Mainz, 1604), a study of the Pharisees, Sadducees, and Essenes by the Jesuit theologian Nicolaus Serarius (1555–1609). Donne owned a copy of this book, and of the same author's *Rabbini et Herodes,* cited below at 3928 (Keynes, L165 and L166).

1141 *Qui . . . rei.* Given as advice to a judge: "Let both the litigants appear wicked and guilty in your sight."

1144 *prejudged.* Prejudiced.

1146 *obtrectations.* Disparagements.

1150 *we . . . pro veritate.* "We must argue about the truth as much as in favor of the truth" (*PG* 6, 975B).

1154 *umbrageous and startling*. Suspicious and fearful.

1158 *exscribing*. Copying. This is said to have occurred in 1209 (a similar proscription is on record for 1210), according to Jean Filesac in his *De sacra episcoporum auctoritate* (Paris, 1606), a copy of which Donne owned (Keynes, L73). Filesac (died 1638) was a Catholic writer on history and church-state relations, and an official of the University of Paris.

1161 *determine*. Settle, put an end to.

1163 *tutelar angels*. The angel "clothed in linen," sent to prophesy to Daniel, and the guardian angel ("prince") of Persia; they contended for twenty-one days.

1165 *Jerome. . . .* Humfredus, Donne's source for the next three examples, is Laurence Humphrey (?1527–1590), scholar, churchman of Puritan leanings, and author of the two tracts cited here. *Iesuitismi pars prima* (1582) attacks Catholic meddling in state affairs, exemplified in Pope Pius V's excommunication of Queen Elizabeth in 1570; *Iesuitismi pars secunda* (1584) is directed against the Jesuit Edmund Campian's *Decem rationes* (1581). The dedicatee, the Earl of Leicester, was Chancellor of Oxford University when Humphrey was president of Magdalen College.

1171 *Causaeus*. Barthélemy Caussé, a French Calvinist writer; Campian's citation of him is not altogether fair, as Caussé had said only that "if I knew that Jerome died in this opinion [asserting the efficacy of offering candles to saints], I would never say him to be a saint, but damned as a devil" (*The Very True Shield and Buckler of Faith*, trans. T. S. [London, 1569], sig. P4^v).

1172 *dangerously*. Arrogantly.

1181 *dirum mucronem*. "Dreadful barb"; this information comes from the annotations of Daniel Mallonius to a devotional treatise by Alfonso Paleotti, *Iesu Christi crucifixi stigmata sacrae sindoni impressa* (Venice, 1606), an account of miracles connected with Christ's winding sheet. Mallonius' notes, more extensive than the treatise itself, are drawn in large measure from visionary sources, causing Donne to remark (4836, below) that he is "too credulous an author." In *Pseudo-Martyr* and *Ignatius*, Donne was less restrained in his satiric use of the book's excesses.

1184 *Qui . . . philosophatur*. "He who is pious is the best philosopher." The maxim comes from Francesco Patrizi's translation of the Hermetic writings, *Nova de universis philosophia* (1591). To Hermes

Trismegistus (associated with Thoth, the Egyptian god of letters and wisdom) was attributed a collection of religious and magical writings, the *Corpus Hermeticum*; these were composed in the second and third centuries A.D., but were believed to be of much greater antiquity by writers in the patristic era (e.g., Augustine, *De civitate Dei*, VIII.23–24) and in the renaissance.

1185 *curious*. Clever and cautious.

1187 *indifferency*. Impartiality.

1187 *Novum . . . occultes*. "This is a new style of intemperate malice, to write what you wish to keep secret." In the context of the Origenist controversy, Jerome complained of books written against him, but kept unpublished so as to prevent refutation (*Apologia adversus libros Rufini*, I.1; *PL* 23, 415A).

1189 *Ladislaus took. . . .* Ladislas, King of Naples, allied himself in 1404 with Innocent VII, third Roman pope of the Western Schism, in an effort to gain control of Rome from the republican commune. Donne's source is the *De schismate . . . libri tres*, a history of the Schism from 1378 through 1410, by Dietrich von Nieheim, a canon lawyer in the service of the Roman popes, who was a witness to much of what he narrated. *De schismate* was printed in 1532.

1192 *confided in*. Trusted.

1193 *effect*. Accomplish, put in practice.

1196 *Gorionides*. Joseph Ben Gurion, the Hebrew author to whom is attributed the *Sefer Yosippon*, a history of the Jews from 539 B.C. to A.D. 70. It was written probably in the tenth century, but was believed earlier and was even once attributed to Flavius Josephus. One of its recensions was edited and translated into Latin by Sebastian Münster (1529, etc.). Donne's citation, however, comes not from Ben Gurion, but from a rabbinic piece called (in Latin translation) *Tessares*, or "sets of four," each of which proposes four categories of persons or things under different notions; that which Donne cites gives the four categories of students who "sit among the wise." The work appeared in an edition of Münster's *Yosippon* translation, edited and augmented with other translations from the Hebrew by Sebastian Lepusculus (Basel, 1559).

1203 *before that*. I.e., before her eyes were opened.

1207 *Chrysostom commends*. There is nothing quite like this in the homily Donne cites (*PG* 56, 590–94), which is suppositiously attributed to Chrysostom; it may be Donne's own moralization of the story (Daniel xiii, in the Vulgate) or of the homily.

1211 *the sun. . . .* The source of this similitude is *Contra Laurentium Vallam, de falsa donatione Constantini, libri duo* (Lyons, 1547), by Augustinus Steuchus Eugubinus, bishop of Cisamo and Vatican librarian. The humanist Lorenzo Valla (died 1457), the first scholar to apply philological methods to the study of church history, showed the so-called Donation of Constantine to be a later medieval forgery, and so invalidated a traditional ground for papal claims to secular power. Steuchus respected Valla's linguistic powers, but denied that they entitled him to authority in the higher faculty of divine matters.

1225 *obnoxii . . . ingenii.* "Mean minded and ill-natured," the character of a plagiarist, according to Pliny the Elder; Donne cites the prefatory epistle to the *Naturalis historia,* where Pliny exonerated himself of that charge, as Donne does here, by pointing to his long catalogue of sources and authorities.

1226 *artificial.* Learned, trained in the arts.

1230 *scandal.* In the language of moral theology, scandal is the offense connected with an act which, though not necessarily evil, serves to occasion sin or spiritual error in the observers of the act (Aquinas, *ST,* 2a2ae, q. 43). Donne evidently means it here in the passive sense, that is, scandal taken, not given; those who are scandalized by religious suicides judge them harshly because of imperfect understanding.

1231 *punisheth . . . fact.* "For it is probably conceived, and agreeably to God's justice, that they that write wanton books or make wanton pictures have additions of torment as often as other men are corrupted with their books or their pictures" (*Sermons,* X, 190-91; cf. "A Hymn to God the Father," lines 7-8).

1235 *judgments.* Q's plural conveys the sense of God's particular decisions; this is preferable to M's singular, in that the reference is to God's disposition of sinners in particular cases.

1239 *long hair. . . .* Paraphrased from St. Paulinus of Nola (*PL* 61, 269C); his correspondent is the rhetorician Sulpitius Severus. The form of citation is explained by the edition used; in the *Monumenta sanctorum patrum orthodoxographa,* Paulinus' letters are arranged according to his correspondents.

1246 *that.* I.e., that opinion.

1246 *Ennodius.* Bishop of Pavia in the early sixth century. The thought is paraphrased from *Epistolae,* II.12 (*PL* 63, 43D).

1253 *lawyers use. . . .* Cited from Gabriele Paleotti, canonist and bishop, *De nothis spuriisque filiis* (Venice, 1572); the context is the issue of legitimizing children sired by clerics.

1264 *whatsoever . . . false.* Aquinas, *ST*, 2a2ae, q. 20, a. 1.

1268 *iniquity.* Handicap; or, in legal terminology, an unequitable or prejudicial judgment at law.

1270 *preposterously.* Backwards.

1276 *entendered.* Softened.

1281 *desperation.* Specifically, despair of God's mercy, the condition portrayed by Spenser in the Redcross Knight's temptation to suicide by Despair (*Faerie Queene,* I.ix.38–52).

1282 *comminations.* Threats.

1285 *impenitibleness.* The condition of being so confirmed in sin that repentance, and thus salvation, is impossible.

1294 *demerit.* Incur guilt; cf. Aquinas, *ST*, 2a2ae, q. 20, a. 1: "The damned are not in the way of hope . . . so not hoping is not a fault imputed to them, but is a part of their damnation."

1297 *stimulum carnis.* "Desires of the flesh"; cf. II Cor. xii 7–9.

1307 *occasions many sins.* In the article cited, Aquinas holds despair to be not worse than infidelity, but more dangerous, because in despair the reason for not sinning is lost.

1307 *poena peccati . . . involuntarium.* "Punishment for sin" . . . "unwilled." Donne alludes to the question of whether God causes a person's induration (the state of being unalterably opposed to His will), as it is treated by Benedictus Pererius, *Primus tomus selectarum disputationum in Sacram Scripturam . . . super libro Exodi* (Lyons, 1602). Pererius discusses the example of God's hardening Pharaoh's heart against the Israelites (Exodus xi 10), citing interpreters who held Pharaoh's induration to be a *poena peccati* which God visited on him independently of his own will. Pererius disagreed, arguing that the induration was willed and was, therefore, sinful; Donne, however, treating despair and induration as equivalent conditions in their opposition to God's will, followed the traditional interpretation (that of the "others" cited by Pererius) that the *poena peccati* is not sinful because not willed by the person so punished.

1311 *Penitential Canons.* Donne refers to a late-medieval collection of forty-seven numbered canons specifying penances for particular sins; it had no official status, but was regularly printed in editions of the *Decretum Gratiani* (see note to 2529, below).

1327 *venere . . . proverbia.* "Have become glorious bywords"; Bosquier cites Job for patience and Abraham for obedience. Q *venire* will make sense, but *venere* is the word in the source.

1330 *Consecrastis . . . Domino.* "Dedicate your hands to the Lord."

1335 *resisting of the Holy Ghost.* Matthew xii 31 holds that blasphemy against the Holy Spirit is unforgivable; Calvin's gloss on the passage argues that such blasphemy is impenitible because it is directed not against God simply, but also against God's grace. All Donne's citations of Calvin in *Biathanatos* come from the *Novi testamenti catholica expositio ecclesiastica* (1559, etc.), a harmony of Protestant commentaries compiled and augmented by Auguste Marlorat, a pastor in the Geneva Church.

1340 *proportionally . . . doctrine.* Consonantly with the Calvinist belief in double predestination, i.e., to damnation and salvation; thus God must foreknow the impenitible as well as the penitent.

1357 *inclination . . . side.* This was a long-standing maxim in moral theology; see Introduction, pp. xxxiv–vi, and, on Azorius, p. xxvii.

1362 *necessitate finis.* "Necessary to the end."

1363 *probable opinion.* See Introduction, p. xxxv.

1365 *quae favet animae.* "Which favors the soul." The doctrine as Donne cites it, and the examples which follow, come from Melchior Zambranus, *Aureae decisiones casuum circa septem sacramenta* (Mainz, 1606). The argument is, essentially, that the soul is entitled to the benefit of any doubt when its salvation is immediately at issue; thus a priest must grant absolution if there is the slightest evidence of penitence at the moment of death, that being the safer course than a denial of the sacrament. Hence M "must not" at 1363 delivers the opposite of the sense required.

1370 *repentance works immediately.* The good thief (Luke xxiii 43) is to be with Christ in paradise that very day, i.e., in the terms of Protestant-Catholic controversy, without time in purgatory.

1386 *diligentes, not diligentissimi.* "(Merely) conscientious," not "most conscientious."

1390 *whether they will or no.* In the first volume of his *Theologiae moralis thesaurus* (Venice, 1601), devoted to ecclesiastical censures, Sayre (see Introduction, p. xxvii) cites some few instances in which an authority might absolve an excommunicated person despite the person's continued obduracy; among them is the case where a judge finds "absolution to be more medicinable to the stubborn one's soul than excommunication." This is an example of favoring the soul in cases of doubt.

1392 *Not to pray. . . .* See Augustine, *De civitate Dei,* XXI.24.

1393 *Mahomet.* Comparison of passages makes it reasonably sure that Donne used a primary source for his Koranic citations, the twelfth-century Latin translation of Robertus Retensis and Hermannus Dalmata, printed with other material on Islam in *Machumetis Saracenorum principis . . . Alcoran* in 1550. The word *azoara* in the citations is the Latin for "sura," the divisions of the book.

1394 *presume impenitence. . . .* Cf. the similar warning by Robert Burton: ". . . what shall become of their souls, God alone can tell; His mercy may come . . . betwixt the bridge and the brook, the knife and the throat. . . . We ought not to be so rash in our censures as some are; charity will judge and hope the best" (*The Anatomy of Melancholy,* I, memb. 2, iv.1; cf. III, memb. 2, iv.5).

1396 *Clement.* Clement of Alexandria is cited from Scultetus, *Medullae,* V.vii.

1401 *debitor quam liber.* "Rather in debt than clear" (*PL* 61, 351C); Paulinus speaks of his brother's death; Amandus was Paulinus' instructor in the Christian faith.

1404 *a layman. . . .* The Gloss to the canon holds that, in cases of clerics who frequent female company, the testimony of two laymen who exonerate shall be weightier than that of two clerics who lay a charge of fornication.

1406 *disproportion.* The canon cited deals with legal distinctions between lay and clerical persons, but not specifically with their testimonies. Donne may have cited erroneously, meaning to refer to *Decretales,* lib. V, tit. i, cap. *Cum P.,* whose Gloss does speak of the validity of lay testimony in ecclesiastical causes.

1410 *rhapsoder.* Collector; literally, stitcher-together. The *Sententiarum libri quatuor* (ca. 1140) was Lombard's compilation of doctrinal statements from patristic sources, whose contents became a standard reference work for later theologians. The Augustinian definition that follows is cited first among Lombard's definitions (the remaining two are from Augustine and Ambrose; *PL* 192, 734–35), though as Donne notes at 1429, without the word *aeternam*.

1412 *summists*. Donne probably means the authors of the numerous fifteenth- and sixteenth-century manuals compiled as reference books for confessors, usually listing categories of infractions alphabetically. Examples are the *Summula de peccatis* by Cajetan and the frequently printed *Summa Sylvestrina* by Sylvester Mazolinus.

1415 *dictum . . . Dei*. "A word, deed, or desire contrary to the eternal law of God" (*Contra Faustum*, XXII.27; *PL* 42, 418).

1418 *conceptions*. If M "acceptions" means "exceptions," its reading is possible, as "vent" may be taken as the escape the casuists require for exceptions to their rules.

1420 *in foro interiori*. "In the interior court," i.e., the court of conscience; see Introduction, p. xxix.

1423 *civitas . . . evertebatur*. "A city established by laws was being overthrown by laws," Pliny the Younger, *Panegyricus Traiano*, xxxiv; on this source, see the note to 1928, below.

1424 *delations*. Accusations. *art*. Against Q "act"; cf. *Ignatius*, p. 81, where the casuists' profession is described as the "art of sinning."

1428 *eternal law*. Q and M "external" could describe the law whose province is beyond the traditional three categories of law (natural, human, and divine); but in adopting the Augustinian definition of sin, "Sayre and all the rest" (1429) use "contra legem aeternam" as the formal, i.e., identifying, element of sin. The sense of *lex aeterna* in scholastic treatment comes ultimately from Augustine, *De libero arbitrio*, I.vi, where it is defined as the highest reason, to which all things are subject.

1430 *ratio gubernativa Dei*. "The governing reason of God." Donne is more likely paraphrasing "ratio gubernationis rerum in Deo" of *ST*, 1a2ae, q. 91, a. 1, than anything in the article he cites.

1437 *conditioned . . . with limitations*. Donne may have in mind here an opinion of Azorius (I.ii.21, qq. 3–4) that, were one assured through revelation of one's own damnation, one would still be held to living virtuously and praying for a reversal of the decree; also, were one informed by reliable prophecy that one's city was to be sacked in consequence of its sins, one ought still to do what one might to avert the conquest. Behind this lies the so-called *de auxiliis* controversy, in which the Dominicans accused the Jesuits of crediting human beings with more power than they have to affect their salvation or damnation. Where Donne and the Jesuits, represented by Azorius, appear to agree is in their recognition that the state of the will determined the judgment; the revelation of one's damnation is in essence God's prevision of an evil will at the point of death, and one may legitimately (although not necessarily effectively) pray that it be otherwise. Azorius' main point is that the will of the individual, not God's command over that will, is the cause of damnation. Thus Donne is sceptical of the Calvinist doctrine of impenitibleness (1331 ff., above).

1442 *Omnis . . . peccati.* "Every failure of obligation partakes of sin." A. E. Malloch, *MLN*, 72 (1957), 332-35, discovered that Donne had this definition and the next, not from Aquinas directly, but from Peter Almadura's *Tabula aurea*, an index to Aquinas' works first printed in 1473. Donne's citation is to the article on whether it is illicit to kill any living thing; this has in it nothing close to the words Donne gives.

1444 *Peccatum . . . legis aeternae.* "Sin is an aversion from a properly ordained end, [and is] against the rule of nature, or of reason, or of eternal law." The closest reference to this definition appears to be *ST*, la2ae, q. 71, a. 6, where contrariety to eternal law is recognized as the formal cause of sin, and, because eternal law "governs man towards an end," violation of it is "an aversion from the end." In this article Aquinas accepts the Augustinian definition of sin; and in *ST*, la2ae, q. 93, a. 3, he argues that all legitimate laws—whether natural, human, or divine—are derived from *lex aeterna*. At least one scholastic author may have been sensitive to the problem Donne raises, and so restricted the definitional scope of Augustine's *lex aeterna*; Azorius (I.iv.1) said, "By the term 'eternal law of God' [in Augustine's definition], 'right reason' may be understood; thus sin is an act, either in deed or in omission, against right reason. . . . Whatever is contrary to right reason is contrary to and hostile to the divine reason."

1449 *lex divina.* "Divine (positive) law," i.e., religious commandments from Scripture. Donne has returned now to the conventional tests for sin; the Augustinian definition as a principle yields in Navarre's *Manuale* (1589 ed., Praeludium ix.8) the operational definition of sin as against either a counsel (in the case of a venial sin) or a commandment (mortal sin) of divine natural law, or divine positive law, or legitimate human law. Donne refers to the latter category as "the law of reason."

1455 *chymic work.* Task for an alchemist.

1457 *limbecks.* Alembics.

1457 *exquisite.* Abstruse.

1459 *dictamen rectae rationis.* "A dictate of right reason," accessible to man apart from divine revelation. The precepts of natural law in the Scripture applied before they were given to the Jews, and apply to peoples outside the reach of the Jewish and Christian revelations. Aquinas (*ST*, 1a2ae, q. 100, a.1) placed all moral precepts, including the Decalogue, under natural law.

1460 *Isidore.* The canon cites Isidore of Seville, *Etymologiae*, V.2.

1473 *conceal a secret.* On the source, Sotus, see Introduction, p. xxvii. His point of departure is the strong moral obligation to keep a secret entrusted to one as such; this binds "according to natural right . . . divine and human." But his treatise *De ratione tegendi et detegendi secretum* (1542, etc.) is an inquiry into the many conditions under which the obligation is qualified.

1475 *Second Table.* Exodus xx 12-17, the last seven commandments in the Roman Catholic numbering of the Decalogue, which pertain to the love of one's neighbor. Honoring of father and mother heads the Second Table because to no one but God is one's obligation greater (Aquinas, *ST*, 1a2ae, q. 100, aa. 4-5).

1476 *parricide is not guilty.* See, for example, Carbo, III.iii.23, 3d doubt: a soldier owes more allegiance to his general than to members of his family, and while he might refrain from killing his father if his father is a private, he is obliged to kill him if he is a person important to the enemy's war effort.

1477 *Bodin.* Jean Bodin (1530-1596), among the foremost historians and political thinkers in the renaissance; he is the author of *De la république* (1576), which he translated into Latin as *De republica libri sex* (1586), the version Donne seems to have used. Bodin condemns this law in the context of a discussion of the patriarchal nature of law and power.

1480 *another state.* Sardinia, according to Aelian, *Variae historiae*: "They judge it absurd for a man in his dotage to draw out his life still further, for a body eaten by great age is frequently driven to madness and to crime."

1480 *laws of civil commonwealths. . . .* See below, 2426 ff.

1484 *another.* "The Berbiccae put to death all who pass seventy years, men by stabbing, women by hanging" (loc. cit.).

1486 *law of nature.* The nature of natural law is set forth in the classic description by Cicero, *De republica*, III, preserved in Lactantius, *Divinae institutiones*, VI.8 (*PL* 6, 660B-61A): Natural law is "right reason, congruent to nature"; its commands and prohibitions are fixed and eternal; it cannot be amended, repealed, or superseded; neither is it subject to interpretation; its dictates are constant regardless of time and place; it is "the one eternal and immutable law that unites all people at all times"; its author is God. Aquinas, *ST*, la2ae, q. 94, a. 2, specified that natural law is "the rational creature's share of eternal law"; it directs creatures to their final cause, it is "graven in human nature" (cf. Romans ii 14-15), and it is perceptible by the light of reason. A good essay on the vicissitudes of this concept and the background to Donne's critique of it is Robert Ornstein, "Donne, Montaigne, and Natural Law," *JEGP*, 55 (1956), 213-39.

1490 *their*. M "these" seems more easily understood, but the Q reading refers to the authors in 1489.

1498 *Abraham . . . Israelites*. The former obeyed God's command to sacrifice his son (Genesis xxii 2), and the latter despoiled the Egyptians of jewelry and clothing (Exodus xii 35); Aquinas used these examples in *ST*, la2ae, q. 94, a. 5.

1502 *obedience or disobedience*. Compare this suggestion with Francis Bacon's interpretation of the Fall: its cause was Adam's supposition "that God's commandments or prohibitions were not the originals of good and evil, but that they had other beginnings, which man aspired to know, to the end to make a total defection from God and to depend wholly on himself" (*The Advancement of Learning*, I.vi.6).

1503 *Sayre*. His argument is that if God could command Samson to kill himself, suicide cannot be as bad as "a lie or *odium Dei*," both of which are specifically condemned in the Decalogue.

1505 *Cajetan*. Tommaso de Vio Gaietani (1469-1534), cardinal and widely respected Thomist theologian; Donne's source for this opinion is the passage in Sotus next cited.

1507 *evicts*. Infers.

1510 *by*. According to; the principle is that of Proverbs xxii 1: a good name is above riches.

1513 *unurged confessions*. The examples of the fathers' indiscretions are given by Sotus, loc. cit.: Augustine's adolescent lusts (*Confessions*, II.2), Anselm's presumed unchastity (suggested by *Meditationes*, II.20-24), Jerome's hint of the same (*Apologia ad Pammachium*), and the Ambrose story. Sotus' point is that the sin of revealing one's own misdeed is by nature venial, rather than mortal.

1521 *nothing against nature. . . .* This passage from Augustine is in *PL* 42, 480; Donne probably has it from *ST*, la2ae, q. 71, a. 2, where Aquinas argues that there is no unnaturalness in an agent's moving something against that something's natural inclination, e.g., a man's lifting a heavy rock.

1524 *patient.* An entity acted upon.

1530 *Augustine.* See *PL* 32, 1290; but again, Donne probably has it from *ST*, la2ae, q. 71, a. 2.

1533 *Aquinas. . . .* Donne's combination of citations in this passage is difficult to sort out, and his references are not precise. The "languor and faintness in our nature" is likely to be the *vulneratio naturae* in *ST*, la2ae, q. 85, a. 3, where the "harmony of original justice" is defined as the due subordination of lower human powers to higher ones.

1536 *quasi naturale.* "As if a natural element." Aquinas said that original sin was "natural" in that it corrupted the nature of man. The next citation, to la, q. 100, a. 1, carries much the same meaning: sin *in* nature, not natural sin, is passed from parent to child. Even original justice was not "natural" in the sense of being intrinsic to human nature; rather, it was given by God.

1542 *not original sin.* Because in creation by divine miracle, there is no generative force from Adam.

1542 *traduced.* Transferred.

1548 *less world.* The microcosm, the little world of the individual human being which reflects the larger universe.

1550 *first . . . other.* "The sensitive appetite in man has a natural propensity towards obeying reason," says Carbo (see Introduction, p. xxviii), and he typically compares the two natures to Paul's outer and inner man (II Corinthians iv 16).

1560 *fomentations.* Reliefs.

1568 *recta ratio.* "Right reason," a term used preeminently in Stoic philosophy to designate the foundation of man's innate knowledge of law (Cicero, *De legibus*, I.12, and the passage from *De republica* cited in the note to 1486, above).

1573 *ius gentium.* "The law of nations," i.e., the commonly shared principles that underlie all human laws. Azorius states, "The law of nations is what natural reason commands or prohibits, that is, what right reason teaches all people." Cf. Aquinas, *ST*, 1a2ae, q. 95, a. 4: "*ius gentium* . . . is derived from natural law through deduction of conclusions which are not far removed from first principles, whence men easily agree on it"; Aquinas distinguishes it from *lex naturae* because it is not what "is common to all animals."

1574 *Sylvius.* Donne cites the *Commentarius ad leges tam regias quam XII tabularum mores, et canones Romani iuris antiqui* (Paris, 1603), a copy of which he owned (Keynes, L212), by Antonius Sylvius Clarus (Antoine LeClerc de la Forest, 1563–1628), a French Catholic scholar known both for piety and learning. Sylvius follows Aquinas in the distinction: natural law is common to beasts and men, and hence is based on both sense and reason; the part of natural law based only on reason and applicable only to rational beings is *ius gentium.*

1578 *deum . . . vinci.* "To worship God, to be conquered by women." The *Oneirocritica* of Artemidorus of Daldis (second century A.D.) was printed in Latin translation in 1539, and several times thereafter, as *De somniorum interpretatione.* We have not traced this particular citation, but that to Artemidorus at 4126, below, is more precise.

1584 *almost every nation. . . .* Donne's source is the *De inventoribus rerum* (1499, etc.), a widely circulated compendium of knowledge by Polydore Vergil of Urbino, who also wrote an official history of England under the patronage of Henry VII.

1585 *Druids.* The administrators of religion in ancient Gaul and Britain; see Caesar, *De bello Gallico,* VI.13–17. Donne's other source is Jacobus Middendorpius, *Academiarum celebrium universi terrarum orbis libri VIII* (Cologne, 1602), a survey of learned institutions which mentions the Druids as early students of "natural causes" in Gaul. The words "ex Io. Bormo" in the marginal citation in Q have nothing corresponding in Middendorpius' passage.

1588 *Spanish relations.* The source is the prefatory epistle by Ioannes Matalius Metellus Sequanus to *De rebus Emmanuelis regis Lusitaniae gestis* (Cologne, 1576), by Hieronymus Osorius; Metellus gives this figure as the devil's annual toll of infants and children in the city of Temisitan, i.e., Mexico City (Donne should have written "Nova Hispania" rather than "Hispaniola").

1591 *form.* Formal cause, an entity's essential identifying property, as reason is to man.

1596 *Lucidus.* Author of a letter addressed to thirty bishops who had accused him of predestinarian heresies (ca. 475; the exchange is printed in *PL* 53, 681–85). Lucidus wrote, "I affirm that some by the law of grace, some by the law of Moses, and some by the law of nature that God has written in the hearts of all, were saved in the hope of Christ's coming; however, from the beginning of the world, they were not freed from original sin except through the intercession of [Christ's] sacred blood." Donne probably found this in the *Monumenta sanctorum patrum orthodoxographa.*

1600 *God promiseth.* In *Essays in Divinity*, p. 92, Donne interpreted the promised covenant not as the Gospel, but as the benefit of it: "the law of nature . . . more clearly restored."

1603 *law . . . hearts.* See Romans ii 14–15.

1606 *ad veniale.* "Venially"; to violate certain norms of behavior—Navarre (see Introduction, p. xxvii) mentions officious lies, minimal thefts, immoderate laughter—is to sin, but not mortally, not to the point of withdrawal of God's grace.

1609 *close.* Sealed.

1609 *emplaster.* Salve.

1611 *simples.* Individual medicinal plants or minerals.

1622 *contra . . . hominis.* "Against the natural use of man."

1629 *Vulgar.* Vulgate.

1637 *Josephus says.* In this account, the young men of Gibea were taken by the Levite's wife's beauty, not by desire to molest the Levite himself.

1637 *himself.* The Levite (see Judges xx 5).

1641 *solum . . . naturam.* "Only do not practice what is against nature." The Bishops' Bible has "so abominable a thing" and the Geneva Bible "this villainy" for the Vulgate's "hoc contra naturam."

1644 *wife of his guest.* In the Judges account, the host surrendered the wife; in Josephus, the young men took her by force.

1645 *a less sin.* Josephus' account has the host argue that molestation of his daughter would be a lighter crime than abuse of his guests.

1648 *in genere peccati.* "According to its category of sin."

1658 *his.* The M reading, to reflect "ignominia est illi" in the Vulgate.

1664 *intonsi.* "Unshorn"; cf. Pliny, *Nat. hist.*, VII.59.

1668 *intractabile lege naturae.* "Unnavigable by the law of nature." Donne cites Flavius Vegetius (late fourth century A.D.), compiler of a textbook on Roman military affairs.

1671 *bishops of Rome.* The popes, in Anglican parlance. Donne's source is the *Pro sacerdotum barbis declamatio* (1531), a mock-encomium by the Italian scholar Giovanni Pierio Valeriano; on Donne's use of his works, see D. C. Allen, *MLN*, 58 (1943), 610–12.

1675 *use.* Are accustomed to.

1686 *latter . . . first.* In the sense that, as Aquinas has it, dispositions natural to the species are broad in definition, and there are gradations of them appropriate to individual human natures.

1688 *Follow your own nature.* I.e., rather than popular opinion, according to the oracle reported by Plutarch, who is cited by Donne's immediate source, Franciscus Fabricius, *M. Tullii Ciceronis historia . . . in annos LXIV distincta* (1564, etc.).

1689 *the man.* The reading of Q and the Geneva Bible, rather than M "a man."

1690 *there.* Evidently, in appeals to the law of self-preservation.

1695 *Chrysostom.* There is nothing in the homily cited (*PG* 56, 832–33, spuriously attributed) quite like what Donne gives here; it may be his own embroidery on certain moralizations of scriptural passages on roads and marketplaces given by the homilist.

1701 *fly . . . good.* Aquinas in the article cited: "This is the first precept of the law, that good is to be done and sought, and evil avoided; and upon this are grounded all the other precepts of natural law."

1702 *indispensable.* Not subject to mitigation or cancellation by any human authority.

1706 *redde depositum.* "Restore a deposit" (i.e., another's property given to one for safe-keeping). Lines 1705–10 closely paraphrase a passage from *ST*, 1a2ae, q. 94, a. 4.

1708 *not always just.* The classic discussion is in Plato, *Republic*, I.331C, where Socrates argues that one must not return a deposit if the return would result in harm.

1710 *it.* A general precept of natural law, as recognized by speculative reason; practical reason must judge how the general precept is to be applied in particular situations. *Acacius.* Georgius Acacius Enenkelius, an Austrian nobleman and writer on classical legal and political thought, among whose works is a translation of Thucydides into Latin (1596). Donne cites *De privilegiis iuris civilis* (Frankfurt, 1606), one of Acacius' three works on the theory of privilege in the Roman Law. The illustration Donne uses is his own inference from Acacius' discussion of what deductions may be made from natural law principles of fearing and worshipping God.

1719 *functio naturae.* As Donne glosses it, the "exercise and application" of what is by nature given to creatures. The sentence is a close paraphrase of Sylvius.

1725 *the pelican.* Fancifully believed to pierce its breast in order to feed its young with its own blood, and so frequently taken as symbolic of Christ's sacrifice. Thomas Browne said, "We may more safely conceive therein some emblematical than any real story" (*Pseudodoxia epidemica,* V.1).

1729 *poenitenti . . . vulnere.* "When they are condemned to punishment, they wound themselves in order to die from their own sting" (*PL* 14, 234D–35A).

1736 *No law. . . .* The principle that a law ceases to bind when the reason behind it ceases is common Thomist doctrine; see, e.g., Sayre, III.i.5.

1740 *Faciamus . . . iuris.* "Let us make man after our own image [Genesis i 26], that is, a law unto himself" (*PG* 88, 758C). Dorotheus' exact words, from the Veronensis translation Donne used, are: God "said 'in [our] image' because He made the soul immortal, incorruptible, and a law unto itself" (*Doctrinae,* XII.6). Cf. Eve's words to Satan in Milton, *Paradise Lost,* IX.653–54: ". . . we live Law to ourselves, our Reason is our Law."

1745 *it belongs. . . .* The title Donne cites is the second part of a book in his own library (Keynes, L194), *De theologia iureconsultorum* (Cologne, 1604), by Ioannes Paulus Windeck, a canon of the Collegiate Church at Markdorff. Windeck's book is extreme in the latitude of power it affords the pope in all areas of government.

1749 *he may dispense.* The canon cited asserts the pope's authority to establish new laws; its Gloss gives examples to argue that he may dispense with laws as well, even contrary to scriptural injunction (see 4473ff., below). According to Windeck, there are particular cases "in which the reason of the law is wanting because of special causes that prevent the law's commands from being applied in diverse situations";

then the pope may dispense with them "against divine law, the Gospel, or the Apostle," in accord with the canon *Sunt quidam.*

1764 *not contra . . . iuris.* "Not against universal law, but against the universality of the law"; Acacius' point is that the very generality of law makes privileges necessary, but he is careful to specify that a legitimate privilege cannot contravene natural law or *ius gentium* (cf. his maxim cited at 4360, below).

1765 *infirm.* Weaken.

1769 *of . . . of.* There is nothing in the context to suggest that Donne refers to local (M "of our . . . of our") princes or parliaments.

1770 *descents.* Subordinations.

1772 *non obstantes.* "Notwithstandings."

1775 *non . . . papae.* "The pope is not allowed."

1776 *motus propriores.* Legislation by the pope on his own initiative, as distinguished from decretals, which are rulings in response to specific questions.

1776 *non . . . iure divino.* "Notwithstanding divine law."

1778 *sine . . . stantibus.* "Without just cause" or "things being what they are."

1783 *foundation . . . law.* Aquinas, *ST*, la2ae, q. 94, a. 2, gives as the three natural appetites (1) to be, to be preserved, (2) to preserve one's kind, and (3) to live a social existence, and adds that "every agent acts toward an end whose substance is good." In the preface to *Pseudo-Martyr* (sig. E1^{v}), Donne put this limit on self-preservation: one ought not prefer it when the consequence is that "God's cause be scandalized and His honor diminished."

1787 *election.* Salvation.

1790 *verisimile* et *verum.* "Likeness to truth and truth itself." The citation is imprecise, but seems close to a thought at *PG* 6, 991A; perhaps Donne had it from a secondary source.

1791 *reditum . . . principium.* "The return of each and every thing to its beginning." The *Heptaplus* (1489, etc.) is a mystical and symbolic commentary on the six days of creation, by Giovanni Pico della Mirandola (1463–1494), the eclectic humanist whose rarefied scriptural interpretations seem to have fascinated and amused Donne. His expositions on the creation are cited frequently in *Essays in Divinity*; see also *The Courtier's Library*, ed. Evelyn Simpson (London, 1930), p. 45.

1794 *liberty . . . would.* The commonplace Roman definition; cf. Cicero, *De officiis,* I.xx, and the legal formulation in *Digesta,* lib. I, tit. v, lex 4, both of which are cited by Donne's source, Sylvius.

1797 *become a slave.* Freedom is natural to man, slavery the opposite; according to the statute cited in the note above, "servitude is an institution of *ius gentium,* by which one is subject, contrary to nature, to another's ownership."

1808 *planta . . . sepultus.* "A buried plant . . . a buried animal . . . a buried angel." Hieronymo Cardano (1501–1576) was an Italian physician, philosopher, and mathematician, whose *De subtilitate* (Nuremberg, 1550) is a compendium of sixteenth-century experimental science and natural history lore. Belief in the growth of metals in veins in the earth was common in the renaissance; Cardano says, "Metal or metallic substance is nothing other than a buried plant, being born wholly under the earth. . . . Just so is the mole among animals; also worms and toads are known to be born underground" (sig. q4).

1811 *propense.* Disposed.

1821 *martyrologe.* Martyrology, a register of martyrs. D. C. Allen, "Donne's Suicides," *MLN,* 56 (1941), 129–33, has traced the sources whence Donne extracted the information about the figures that follow. His chief sources were the classical compilation of *exempla* for speechmakers by Valerius Maximus (early first century A.D.), and one of its renaissance counterparts, Ioannes Textor's *Officina, vel potius naturae historia* (1520, etc.); the latter contains a forty-five-page catalogue of notable suicides. Regulus, Codrus, and Herennius come from Valerius Maximus (I.1, V.6, and XII.2, respectively). Hannibal, Demosthenes, Aristarchus, Othryades, Democles, Catulus Luctatius, Terence, Labienus, Festus, and Hippionas come from Textor. Comas, Homer, Portia, Macer, and Charondas were taken by Textor from Valerius Maximus. Petronius Arbiter is found in Tacitus, *Annales,* XVI.19, Zeno in Diogenes Laertius, VII.28–31.

1832 *Regulus.* See 5360 ff., below, for Donne's more serious consideration of Regulus' case.

1837 *Codrus.* A king of ancient Athens; when an oracle pronounced that Athens' enemies would prevail unless they killed him, Codrus disguised himself as a common soldier and provoked his death by walking into the enemy's camp.

1846 *recluding.* Holding in.

1854 *Homer.* The riddle that stumped him is not given by Valerius Maximus.

1862 *forced.* Raped.

1866 *nova . . . pereundi.* "New pledges for destruction"; Donne quotes from a series of model orations, the so-called greater *Declamationes,* attributed to Quintilian.

1876 *mira . . . excessit.* "A man who, by marvellously good fortune, passed away unharmed, whole, without an illness." Diogenes Laertius gives either starvation or holding the breath as the means of Zeno's death after the omen. Donne used the translation of Isaac Casaubon (Geneva, 1593).

1878 *quartan.* Recurring fever. *Portius Latro.* Allen suggested Casaubon's commentary on Suetonius, *De clariis rhetoribus,* as the source for this.

1881 *Hippionas.* Hipponax, as given by Textor, is the correct form of the name.

1883 *Macer.* He and the next figure mentioned, Caius (not Cassius) Licinius Macer, are the same person. According to Textor, he hung himself in fear of Cicero; Valerius Maximus, IX.12, gives the suffocation version. As Allen suggests, Donne made notes from both sources and did not recognize the identity.

1888 *pretium festinandi.* "The reward of haste," i.e., honorable burial and retention of the suicide's estate by his heirs; conviction and execution would result in confiscation (Tacitus, *Annales,* VI.29, in connection with the suicide of Pomponius Labeo).

1891 *frowardness.* Contrariness, perversity.

1899 *Lipsius.* Justus Lipsius (1547-1606), a Flemish classical scholar and neo-Stoic philosopher. Donne cites his *Saturnalium sermonum libri duo, qui de gladiatoribus* (Antwerp, 1585).

1900 *profusion.* Shedding. M "profession" is possible, but is likely to be a trivialization of the harder word.

1903 *Eleazar's oration.* The Jewish garrison at Masada was the last to resist capture by the Romans in A.D. 70; when Roman victory was inevitable, the Jewish leader Eleazar persuaded the survivors to mass suicide rather than endure the vindictiveness of the Romans. Josephus gives the number of dead as 960. Eleazar's speech in Josephus contains more substantive arguments than Donne credits it with here.

1910 *soldurios.* According to Caesar (*De bello gallico,* III.22.2-3), *soldurii* is the name the Aquitanians gave to members engaged in this military tie; Donne's other source, Tholosanus (Petrus Gregorius of Toulouse), *Syntagma iuris universi atque legum pene omnium gentium* (Frankfurt, 1591), mentions them in connection with his discussion of feudatory obligations.

1914 *devotion . . . Indies.* The custom of "suttee" prevailed in India in regions dominated by Brahmanism, until it was outlawed in 1829.

1918 *Samanaei. . . .* The source is *De abstinentia,* IV.17, by the third-century Neoplatonic philosopher Porphyry.

1919 *religion.* Status in a religious order.

1920 *gymnosophists.* Donne should have said Brahmans; Porphyry and the source cited here, Otto Heurnius, *Barbaricae philosophiae antiquitatum libri duo* (Leyden, 1600), treat the Samanaei and Brahmans as two schools among the so-called gymnosophists of India.

1928 *Latinus Pacatus.* A Gaul whose only surviving work is the one Donne quotes here, a panegyric delivered to the Emperor Theodosius in 391 (*PL* 13, 516–17). It is one of twelve in the *Panegyrici veteres,* a collection made in late antiquity and printed at least six times in the sixteenth century; it included Pliny the Younger's panegyric to Trajan (cited by Donne at 1422 and 4013), Nazarius' to Constantine (cited at 3863), and that of an uncertain author to Constantine (cited at 1947 and 3895). Donne must have kept the book, or his notes from it, for tags from the panegyrics appear occasionally in his sermons.

1939 *Maximus. . . .* Gratian was emperor of the West until 383, when Maximus overthrew and killed him. Theodosius destroyed Maximus in 388.

1948 *ne . . . dolori.* "Lest in their grief they throw themselves upon their swords" (*PL* 8, 663B); this speech, also from the *Panegyrici veteres,* praises Constantine for his devotion to preserving human life.

1951 *the Spaniards. . . .* Donne uses this story from Metellus again in *Pseudo-Martyr,* I.4, and in *Ignatius,* p. 69.

1969 *aspersion.* Sprinkling. Sylvius traces, in the chapter Donne cites, the Roman legislation that restricted the ferocity of earlier mourning practices.

1975 *main advantage.* The Q reading is correct; understanding the afterlife is Christianity's "main advantage," while the other advantages, e.g., quenching "respects of fame" (1987), are subsidiary.

1977 *which Moses . . . mankind.* The long parenthesis, with its involuted syntax, lists three phases of human understanding of the afterlife: (1) Moses knew it, but accommodated the truth to human capacity for comprehension, (2) Socrates, Plato, and Aristotle had ideas of it, and (3) so did the Stoics ("for matters of this life" qualifies "stoic and severe").

1991 *thousands . . . Sabbath.* See I Maccabees ii 31–38; a thousand Jewish refugees from Antiochus' persecutions were killed when they refused to surrender or offer resistance to troops sent to capture them.

1994 *embrued.* Steeped (itself).

1994 *almost.* The emendation is a minimal graphic alteration to make the word attach to "custom" (1993); thus, the custom of the Jewish nation abounded in animal sacrifices, while the custom of almost all other nations abounded in human sacrifices.

1999 *natural reasons.* Philosophical grounds, rather than grounds taken from Christian revelation.

2001 *Clement.* Cited from Scultetus, *Medullae,* V.ix, who summarizes also some of Clement's not so "natural" reasons, e.g., that a martyr's death purges sin, is an imitation of Christ, etc.

2014 *Tertullian's reasons.* From Scultetus, *Medullae,* VII.xxxiv.

2016 *secunda . . . sanguinis.* "Second comforts, the (baptismal) font of blood."

2018 *natural death. . . .* I.e., ordinary death is not precious in God's sight.

2024 *prophecies.* From Scripture. St. Cyprian, Bishop of Carthage, himself martyred in 258, is quoted from Scultetus, *Medullae,* VIII.xvii.

2028 *natalitia.* "Birthdays"; *Medullae,* VII.xv, or from Baronius (see note to 2034, below).

2029 *notaries.* One of the sources Donne gives is the *Historia de vitis pontificum Romanorum* (1562, etc.), by Bartholomaeus Sacchi de Platina, the Vatican librarian from 1475 to 1481; he reports that Pope Clement I appointed seven notaries to record the deeds of the martyrs. The "Damasus" in the citation comes apparently from Baronius, *Martyrologium,* chapter I, who gives the same information on notaries from a source he calls "the book *de Rom. Pontific.* which certain recent writers cite under the name Damasus."

2029 *register.* Q "regulate," i.e., draw to rule, is possible, but cf. *Pseudo-Martyr,* sig. F3: "notaries, to register their . . . passions."

2030 *salita capita.* "Salted (i.e., cured) heads." Eunapius, an anti-Christian sophist, objected to the introduction of monks' and martyrs' relics in places sacred to the old paganism. Donne's source is the biography prefixed to Hadrianus Junius' edition and Latin translation of Eunapius' *De vitis philosophorum* (1568, etc.); cited also in *Pseudo-Martyr,* III.i.44.

2034 *monopoly. . . .* The first citation in Donne's note is to the *Theomachia Calvinistica* (Paris, 1604), by Franciscus Fevardentius, a Franciscan controversialist; the passage argues that the English Protestants who died for religion in Queen Mary's reign were not martyrs. Citing the same passage in *Pseudo-Martyr,* sigs. 2I2ff., Donne characterized Fevardentius' book as "a dialogue of some eight hundred great leaves," whose principal speaker reduces his antagonist "from one thousand, four hundred heresies." Next cited is Caesar Baronius (1538–1607), cardinal and the Roman Church's premier ecclesiastical historian, who redacted the official post-Tridentine *Martyrologium Romanum,* first printed in 1586. He cited patristic and conciliar evidence to show that none entered "the company of the martyr's crown unless they were of the Catholic Church."

2039 *ex opere operato.* "By virtue of the act's having been performed"; a formula used by the Council of Trent to specify that the grace conferred by a sacrament is due to its performance by an authorized priest. Calvin, and reformers generally, believed the Tridentine doctrine a novelty, whose effect, as Donne later expressed it, is "to tie the grace of God to the action of the man" (*Sermons,* VI, 92). In the place cited by Donne, Carbo stated that martyrdom is a baptism in blood, and so, like a sacrament, "by the force of Christ's merit" remits sin *ex opere operato.*

2040 *without charity. . . .* The opinion is Augustine's in *De patientia,* 26; the error in Donne's citation is that of his source, Canon 49 in Gratian's *Decretum,* pars II, causa xxxiii, q. 3, the *Tractatus de poenitentia.*

2044 *Tertullian.* Cited from Scultetus, *Medullae,* VII.xxiv.

2049 *Herod's infants.* The Holy Innocents; see *PL* 33, 728–29, where Augustine quotes his own *De libero arbitrio,* III.23, for this opinion.

2050 *matter . . . faith.* According to Sayre (VII.ix.15–16), the honor of martyrdom might be accorded to persons who die for defending virtue only, because they die for God who is the end of all virtue; his examples are John the Baptist, who died for reprehending Herod's adultery, Thomas à Becket, who died in defense of ecclesiastical privilege, and the Catholic priests executed in England. In *Pseudo-Martyr*, V.4, Donne specifically argues that defense of "the immunities of the church" was no cause for martyrdom in the English Catholics.

2050 *he which suffers. . . .* This and the next opinion come from the *Aphorismi confessariorum ex doctorum sententiis* (1595, etc.), an alphabetically arranged compendium of cases collected by the Portuguese Jesuit Emmanuel Sa. The book was placed on the Index by the Roman Church in 1603 (Sommervogel, VII, 350), but continued to be printed.

2052 *for Christian profession wounded.* Aquinas' criteria are more restricted than this; death is requisite for martyrdom, and if the death is not immediate, it must still be the consequence of suffering inflicted for the martyr's witness of faith. Donne seems to have the opinion indirectly.

2065 *libellatici.* Christians who, during third-century persecutions, bought from Roman officials certificates (*libellos*) declaring they had performed the sacrifices required by the state religion. This raised the problem of whether such compromisers—they did not sacrifice, but escaped persecution by saying they did—might be received in churches. Cyprian considered them barely superior to those who had actually sacrificed (Scultetus, *Medullae*, VIII.xv).

2065 *acquittance.* M "acquaintance" is possible, but the Q reading describes more precisely what the *libellatici* did.

2066 *culpa . . . conscientia.* "Their fault is smaller than that of those who sacrificed, yet not harmless to the conscience."

2068 *Tertullian.* From Scultetus, *Medullae*, VII.xxiii.

2072 *nature of the word.* The Greek word means "witness."

2074 *Eusebius.* Fourth-century churchman, author of the *Historiae ecclesiasticae.* The passage cited describes the feeling of Christians in Gaul, tortured brutally for their faith during the reign of Marcus Aurelius, that the title of "martyr" belonged to Christ and to those who were relieved of life at the moment of their witness; they preferred to be called merely "confessors" (*PG* 20, 434B).

2082 *supervivers.* Survivors.

2082 *baptisma fluminis . . . sanguinis.* "Baptism of water" . . . "of blood."

2085 *ne . . . sanctitas.* "Lest sainthood be cheapened."

2087 *aviled.* Held in low repute.

2090 *Ignatius.* Third Bishop of Antioch, martyred at Rome early in the second century. His extant letters were written during his journey, as a prisoner, from Syria to Rome, under condemnation by the Emperor Trajan. The passages cited here are in *PG* 5, 857–58 and 854–55, respectively.

2092 *he . . . reward.* Matthew x 41.

2095 *vinctum Christi.* "Christ's prisoner."

2099 *dilated.* The evident meaning is "enlarged," but it may be an alternate form of *delated,* "accused" or "denounced."

2107 *the blood . . . church.* According to *The Oxford Dictionary of Quotations,* this is a proverb traceable to a passage in Tertullian, *Apologeticus,* 50 (*PL* 1, 535A).

2112 *athleta . . . spoliant.* "A runner does not win just for removing his clothes; neither do swimmers make it to the opposite shore only by stripping." This is a compact paraphrase of a longer passage (*PL* 61, 290).

2119 *Cyprian. . . .* There is no work of Cyprian, authentic or spurious, with the title Donne gives, and we have been unable to trace the passage.

2129 *We also. . . .* Reported by Eusebius of Christians under persecution in Egypt (*PG* 20, 759C).

2130 *Germanus.* Eusebius gives his name as Germanicus; this episode occurred during second-century persecutions at Smyrna (*PG* 20, 346A).

2134 *mente digna philosophis.* "With a mind worthy of a philosopher"; Eusebius adds, however, "but more so religiously, with a mind consecrated to God" (*PG* 20, 762B).

2136 *Meirus and Josephus.* Two eminent Jewish priests who, in Flavius Josephus' account, immolated themselves rather than wait to be slain or captured.

2138 *Ignatius solicits.* He worried that well-placed Roman Christians might intercede for him, and so prevent his martyrdom. The common style of execution for Christians was to be eaten by animals in the Flavian Amphitheater.

2142 *quod . . . morior.* "That I die of my own will." *blandiciis . . . feras.* "Caress the beasts with flatteries."

2148 *Quia . . . est.* "Because to die is profitable to me." Donne has excerpted passages from chapters iii–vi of the letter (*PG* 5, 687–92).

2151 *Valens. . . .* As an adherent of the Arian faction, Valens was notorious for his persecutions of the Catholic Christians; Donne has this story from Nicephorus Callistus, *Ecclesiasticae historiae libri XVIII* (*PG*, 146, 638D–39A).

2157 *old wretched man.* This took place during the reign of Diocletian, according to the *Speculum historiale* of Vincent of Beauvais (ca. 1254); Maximianus' legion had refused to perform sacrifices.

2168 *proconsul in Afric.* In Bodin's report, it is the proconsul's doorkeeper who addresses the Christians. *De magorum daemonomania* is the Latin version of *De la démonomanie des sorciers* (1580), Bodin's inquiry into and justification of the witch-hunts of his era.

2181 *11,000 virgins.* Companions of St. Ursula (fourth century), said to have been martyred by Huns at Cologne as they were embarking on pilgrimage to the Holy Land (Vincent of Beauvais, *Speculum historiale,* XX.40ff.).

2182 *9,000 soldiers.* Martyred during the reign of Antoninus Pius, according to Vincent; Hadrian was their general.

2189 *Gregory. PL* 76, 1207C (Donne cites from Baronius).

2194 *five hundred martyrs.* For this, Baronius cites a letter suppositiously attributed to St. Jerome.

2208 *Nicephorus. PG* 145, 979C.

2217 *Basilides.* A second-century Docetist; Donne has his information from the *Adversus omnes haereses* (1539, etc.), an alphabetical catalogue of heresies by the Franciscan canonist Alphonsus Castrensis.

2226 *Helchesaë.* He taught in the third century (Eusebius, *Hist.,* VI.28). Donne's source here is another alphabetical catalogue, *De vitis, sectis, et dogmatibus haereticorum* (Cologne, 1569), by Gabrielis Prateolus (Gabriel du Préau).

2231 *Gnostici.* Treated in Prateolus, Book VII.

2237 *Scorpiacum.* Usually titled *Scorpiace,* but printed as *Contra Gnosticos Scorpiacum* (Paris, 1545).

2244 *Petilian.* A Donatist bishop in Numidia; see 5280ff., below.

2247 *Circumcelliones and Circuitores.* Violent, fanatical groups among the Donatist movement. Sayre (VII.ix.1) derives *Circuitores* from *loca omnia circuibant,* "going about all places," citing Augustine, *De haeresibus,* 69; Donne's etymology seems closest to Augustine's derivation of *Circumcelliones* from *cellas circumiens rusticanas,* "going about the rural food-cellars" which they were alleged to have looted (*Contra Gaudentium,* I.28; *PL* 43, 725).

2253 *ludus quotidianus.* "Everyday sport" (*PL* 33, 798).

2255 *Cataphrygae.* Of the late second century, according to Prateolus; Baronius associates them with the Montanists, to whom Tertullian for a time adhered.

2261 *Eusebius.* Said of the Montanists (*PG* 20, 471C; cited also in Baronius).

2267 *hominum examina.* "Swarms of men"; the thought comes indirectly from the *Annales ecclesiastici,* Baronius' major historical work, through the *Epitome* (1603) of it by Cornelius Schultingius. See Diogenes Laertius, VIII.69, for the death of Empedocles, said to have plunged into Aetna's crater in order to substantiate a belief that he had become a god.

2274 *quia . . . Deo.* "For they are apart from God."

2276 *Martyrum . . . infamet.* "Let no profane person insult the dignity of the martyrs." Both canons, from third-century councils, are cited by Baronius.

2287 *Vasquez . . . Cordubensis.* Gabrielis Vasquez, author of *De cultu adorationis* (Mainz, 1601), wherein he held martyrdom to be a religious act, yet distinct from adoration. Donne's preceding citation to Aquinas is correct, but Vasquez had cited *ST*, 3a, q. 22, a. 2. Cordubensis is the Spanish casuist Antonio de Corduba, cited below, 2905ff.

2291 *inflict martyrdom.* That is, upon the tempter himself; this, says Navarre, is "to tempt God."

2292 *degrees of penance.* Contrition, confession, and satisfaction for the sin; Carbo insists on these, if time is allowed the martyr.

2293 *not . . . privilegiatum.* "Not a sacrament, but a privileged work," i.e., not one that by its nature remits sin, as performance of a sacrament would (see note to 2039, above). Rather, this is an exception to a rule, a special case of Christ's mercy working for a chosen individual otherwise than through a sacrament.

2299 *He which. . . .* Carolus Scribanius, Jesuit provincial of Flanders, who, under the pseudonym Clarus Bonarscius, wrote *Amphitheatrum honoris, in quo Calvinistrarum in Societate Iesu criminationes iugulatae* (Anvers, 1605), a book remarkable for its inflated rhetoric. Donne's selection of quotations in no way exaggerates Scribanius' rejoicings over the Jesuit martyrs' passions.

2300 *Alphonsus Castro.* Portuguese Jesuit missionary, martyred in 1558 (Sommervogel, II, 855–56).

2302 *Rapimus . . . irruptione.* "We seize on martyrdom . . . in willful outburst."

2304 *meritis . . . vacuum.* "Barren of merits, and pass away empty of glory" (Donne's translation, used in *Pseudo-Martyr,* sig. 2A1^v).

2306 *prodigere . . . ferro.* "Spend our souls upon the enemy's sword."

2319 *mute law, custom.* Aquinas, *ST,* la2ae, q. 97, a. 3: "Custom has the force of law, may annul law, and is the interpreter of law."

2324 *ideated.* Imagined according to an ideal.

2329 *sexagenarii.* "Sixty-year-olds"; "to throw sixty-year-olds from the bridge" was an ancient proverb (Erasmus, *Adagia,* I.v.37; *Opera,* II [Leyden, 1703], 196). The explanation Donne cites against its historical basis is from Pierio Valeriani, *Hieroglyphica, seu de sacris Aegyptiorum aliarumque gentium literis commentarii* (1556, etc.), an important work in bringing Egyptian antiquities to European attention.

2333 *per pontem.* "Over the bridge."

2335 *Ceans. . . .* The instances that follow (Ceans, Ethiopians, Roman law, Utopia, and Plato) Donne found together in Tholosanus' chapter on suicide, *Syntagma,* XXXVI.22, but the information he gives on four of the five shows that he knew the original sources for those at least.

2336 *crowned . . . as triumphers.* M "crowned" reflects "coronati" in the probable source, Conrad Gesner's translation of Aelian. This makes Q "triumphers" more likely, as "they" are the old men themselves, in active pursuit of death. Cf. the final passage of Montaigne's essay "On a Custom of the Isle of Cea" (*Essais,* II.iii), in which the suicide of a noble Cean lady is described.

2337 *Ethiopians.* Donne probably has this from Tholosanus alone, but he omits details found there. In fact, Diodorus Siculus (*Bibliotheca* *historiae,* III.v.2–3) records that, if condemned to death by the king, an Ethiopian commits suicide on receipt of the sentence; exile to avoid the penalty is regarded as impermissible.

2340 *Civil Law.* This is a cursory treatment; see II.i.3, below.

2341 *memory.* Status of his posterity.

2347 *tender . . . conscience.* Perhaps More's scrupulosity of moral behavior is referred to; or, as the comparison with Augustine may suggest, perhaps Donne detected in his maternal ancestor an Augustinian style of intolerance towards opponents and an inclination to malign their consciences. Donne's attitude towards More is bound to have been complex, but he is unlikely to be serious about More's unwillingness to write "in jest mischievously interpretable." The citation to *Utopia* (ed. Surtz and Hexter [New Haven, 1965], p. 186) is accurate and beyond what Tholosanus gave.

2351 *incurable.* Q's reading is supported by "immedicabilis" in the source.

2354 *Plato.* The passage quoted is *Laws,* IX.873C–D; Donne omits Plato's instructions for the suicide's isolated and unmarked burial, which Tholosanus quotes, but the paraphrase of the remainder of 873D is not in Tholosanus. The text regularly cited for Plato's opposition to suicide is *Phaedo,* 61D, noted by Tholosanus and in several other discussions Donne had read; he comments on it obliquely in II.iv.8 and in III.ii.4, below.

2358 *destiny.* M "divinity" is possible, though Q is closer to the reading of the source.

2374 *received.* In support of Q, cf. the usage of "received" at 1590, i.e., received from the definition of sin adopted.

2375 *law of reason.* Essentially, the traditional idea of human positive law. The principles Donne works with are enunciated in Aquinas, *ST,* 1a2ae, q. 95, a. 3; legitimate human law is derived from natural law in two ways, either through necessary deduction (e.g., the principle "harm no one" implies logically "murder is a crime"), or through construction (e.g., the principle "crime must be punished" suggests, though not by rigorous necessity, that "the penalty for crime X is punishment Y"). In the introductory discussion, Donne deals with the first kind of derivation. In the remainder of Distinction i, and in ii and iii, he treats the latter derivations, the specific ordinances in various codes which, in Aquinas' formulations, "have their force only through human law" and not as universal mandates of natural law. The reasons of individual thinkers, treated in Distinctions iv and v, have a place analogous to constructed laws, though they are, according to Donne, even further removed from natural reason than civil laws.

2396 *obsequiousness.* Ceremonial deference.

2423 *obligation in interiori foro.* Binding of the conscience; see Introduction, p. xxix, and *ST*, la2ae, q. 96, a. 4: "positive human laws are just or unjust. If just, they have the power to bind in the court of conscience, through the eternal law from which they are derived."

2430 *communis reipublicae sponsio.* "The mutual betrothal of citizens and commonwealth."

2455 *decoction.* Boiling down.

2456 *plebiscites.* Legislation adopted by assemblies of the common people.

2456 *responsa prudentum.* Legal opinions by authoritative jurists, given to advise judges or litigants.

2459 *Justinian's part.* Justinian's initiative to recodify the imperial laws (A.D. 533-556) resulted in the *Corpus iuris civilis*; its important parts were the two which Donne cites in his discussions, the *Codex* and the *Digesta.* The scope of Justinian's project is set forth in the two letters cited, both prefixed to the *Digesta.*

2463 *points controverted.* See 1745, above, for the reference; the first part of Windeck's book proposes to show that "forty dogmas of the Roman Church now under assault by sectaries are confirmed, and rescued from the distortions of Lutheran jurists, not only by the canons and traditions of the early church, but also by the laws of the Emperor Justinian."

2468 *Hadrian.* Emperor, A.D. 117-138.

2469 *rescript.* A formal reply to a legal question in a specific case; the emperors' rescripts, however, often attained the status of legislation.

2471 *impatience of.* Inability to tolerate.

2472 *capite plectatur.* "He shall suffer with his life." The law stipulates dishonorable discharge as the penalty for an unsuccessful attempt to commit suicide for the stated excuses.

2474 *cause.* Extenuating ground.

2484 *overtakes.* Extends to.

2501 *non . . . successorem.* "It is not the evil of the deed which makes it subject to punishment, but the guilty conscience" . . . "he who has good cause to die may retain his heir." This statute is the Roman Law's most comprehensive statement on suicide. The acceptable excuses are those listed in the laws Donne cites at 2471ff. Where these are absent, the suicide is presumed to have judged himself, and ought to be punished, the law says, "for whoever neglects to protect himself is much less likely to protect others."

2508 *bind the princes.* "The emperor's law is not above God's law, but subject to it; ecclesiastical right cannot be dissolved by imperial decision." *Decretum,* Pars I, Dist. 10, canon *Lege.*

2511 *undetermined.* Boundless.

2517 *Theodoricus.* The emendation is from the source, the letter to "Theodorico rege." Gelasius I was pope from 492 to 496.

2520 *Leo IV.* Pope, 847-855.

2522 *emperors determined. . . .* In *Pseudo-Martyr,* III.i.55ff., Donne expands this argument establishing the historical legal primacy of empire over church until the papacy of Gregory VII in the late eleventh century.

2525 *called . . . councils.* Donne probably refers to the so-called *Dionysia,* a compilation made in the early sixth century by Dionysus Exiguus, which contained canons of nine ecumenical councils, from Nicea (325) through Chalcedon (451).

2529 *immense additions.* Donne's treatment of the Canon Law is contentious; it is Protestant in the sense that it regards any legislation apart from ecumenical councils as suspicious, but his more immediate purpose is the practical one of undermining the status of Gratian's *Decretum,* that part of the Canon Law which contains the crucial opinions of Augustine against suicide. Donne's motive is to demote these from the status of law to the status of one man's opinion. The *Decretum,* or "Harmony of Discordant Canons," was compiled by Gratian, a twelfth-century Italian monk; it had no official sanction as legislation.

2532 *solutio continui.* A medical term meaning "division of continuity" in living tissue. Donne uses the same metaphor for schism in *Essays,* p. 50, and glosses it thus: ". . . if in the skin itself there be any solution or division, which is seldom without drawing of blood, no art nor good disposition of nature can ever bring the parts together again, and restore the same substance, though it seem to the eye to have soldered itself."

2534 *decerpted and detorted.* Excerpted and distorted; Q "decocted," boiled down, is contextually appropriate, but lacks the denigratory sense of M's reading.

2538 *denizened.* Naturalized.

2540 *decline.* Avoid.

2544 *intendment.* Application.

2545 *excuse . . . delinquent.* "In doubts, the more benign interpretation is to be preferred." *Digesta,* lib. L, tit. xvii, lex 56.

2548 *presume . . . guiltiness.* In the context of accusations of fornication, Paleotti says that Canon Law will presume guilt in doubtful cases, where Civil Law will not.

2551 *laesa maiestas divina.* "Injury to the divine majesty."

2555 *definition of heresy.* Donne takes it closely from the *Enchiridion iudicum violatae religionis* (1573), by Jacobus Didacus Simanca, canon lawyer and Bishop of Zamora.

2560 *male . . . haeresis.* "Ill-sounding . . . rash . . . smacking of heresy," terms used conventionally by theologians to describe disagreeable opinions.

2565 *progress.* A monarch's extended journey through his dominions.

2581 *latria.* "Adoration," the highest form of worship, in contrast to *dulia,* the worship appropriately directed toward, e.g., saints. Cf. Aquinas, *ST,* 3a, q. 25, a. 4: "It is appropriate to adore the cross, inasmuch as it represents the figure of Christ extended upon it."

2592 *decretal letters . . . extravagants.* The parts which follow the *Decretum Gratiani* in the sixteenth-century compilations of the Canon Law: the *Decretales* of Pope Gregory IX, issued in 1234, the *Liber Sextus* (1298) of Pope Boniface VIII, the *Constitutiones* of Pope Clement V (1317; called the "Clementines"), the *Extravagantes* (1325) of Pope John XXII, and the *Extravagantes communes* compiled by the canonist Jean Chappuis (1503). On the status of the Canon Law in England in Donne's time, see Introduction, pp. lxxxvii–viii, n.11.

2593 *Bishop of Tarragon.* Antonio Agustín (1517–1586), a much-respected scholar of Canon and Civil Laws.

2600 *Eugenius III.* Pope, 1145–1153.

2607 *Albericus Gentilis.* Alberigo Gentili (1552-1608) came to England from his native Italy in 1580, and was appointed Regius Professor of Civil Law at Oxford in 1587. Donne owned a copy (Keynes, L80) of his *Regales disputationes tres* (Hanau, 1605), the first of which is cited here. Gentili argues Gratian's status to be that of a private scholar, rather than an ecclesiastical legislator.

2611 *pretermit.* Omit.

2616 *Braccarense Council.* The Council of Braga, in Portugal; its first synod, in 563, enacted the canon on suicide.

2619 *Antisidorense Council.* More accurately, Antisiodorense; the Council of Auxerre, in Burgundy. Donne's information comes from Severinus Binius, *Concilia generalia et provincalia, quotquot reperiri poterunt* (Cologne, 1606), five thick folios which constituted the standard work on church councils.

2619 *before.* It was, in fact, after.

2624 *determined.* Put an end to.

2631 *istorum . . . recipiantur.* "Their oblations are not to be accepted."

2648 *caninam sepulturam.* "A dog's burial," a term found in the Gloss to the canon, meaning an altogether unchristian burial.

2649 *evict.* Infer.

2650 *not under excommunication.* The canon cited in the Gloss points out that one who dies in good standing in the church, though without sacraments, may still be "communicated with," i.e., prayed for; but the soul of one who dies excommunicate cannot be prayed for or commemorated.

2656 *true Canon Law.* In this case, the *Decretales* of Gregory IX.

2661 *Gloss. . . .* Donne cites it accurately, although post-Tridentine editions add a note stating that the Gloss is mistaken.

2666 *Clementine.* Canon from the *Constitutiones* of Clement V.

2668 *local interdict.* A papal prohibition of all religious services in an entire region.

2674 *lightnings.* Such a death was presumed evidence of divine disfavor.

2675 *buried offenders. . . .* Donne cites Paulo Manuzio, *Antiquitatum Romanorum . . . liber de legibus* (Venice, 1559), sig. L2. *Vestals.* I.e., Vestals who offended through unchastity; both Sylvius and Manuzio point out that their consecration made them exempt from the disgrace of dishonorable burial.

2679 *And since Chrysostom . . . damnations.* M lacks this passage. In Q, the citation follows the passage in the text, rather than being placed in the margin; this suggests that Donne may have inserted the entire passage into his manuscript on a loose sheet. Q "Saint Hierome" must be an error, for the source—the *Bibliotheca sancta,* 2d ed. (Frankfurt, 1575), a collection of essays and notes on scriptural problems by the Franciscan exegete Sextus Senensis—gives it as Chrysostom's opinion that "catechumens who die without baptism are not to be prayed for." It could have been Donne's own error, but a graphic confusion is also possible.

2699 *Bracton.* Henry de Bracton (died 1268), English churchman and jurist, author of *De legibus et consuetudinibus Angliae libri quinque,* printed in 1569. Donne cites Book III, chapter 31, which is, as Donne points out, based almost entirely on *Digesta,* lib. XLVIII, tit. xxi, lex 3 *Qui rei.*

2706 *not only homicide. . . .* Donne cites *Les comentairies ou les reportes de Edmunde Plowden* (London, 1571), which consists of decisions and analyses of English cases from the reigns of Edward VI, Mary, and Elizabeth. Plowden (1518–1585), one of the era's most respected jurists, distinguishes homicide, synonymous with "manslaughter," from murder, which entails premeditated malice ("malice prepence" in the legal jargon of the day). Donne does not mention two additional reasons Plowden cites: murder is a crime against nature in that it violates the principle of preservation, and against God who gave the commandment not to kill. Plowden's observations are given in his report on the famous case of Hales v. Pettit, which turned on whether a suicide's goods were forfeit upon his death or upon his posthumous conviction as *felo de se.* Sir James Hales, Justice of the Common Pleas under Edward VI, fell into disfavor with Queen Mary for advocating enforcement of religious conformity laws enacted against Catholics in the reign of Edward. He was imprisoned, attempted suicide, was released, and finally drowned himself in 1554. This caused John Foxe, who, for conventional reasons, was unsympathetic with the suicide, to give him a place in Book II of *Actes and Monuments* (1563), if not as a Protestant martyr, at least as one unjustly victimized for his faith by the Catholic Queen Mary. A short, unprinted treatise, carrying the date 1578, "Whether it be damnation for a man to kill himself" (British Library MS Additional 27,632, fols.

122–125^v) is in part a defense of Hales's suicide; the author notes his upright life and the fact of his praying before sinking his head into the river, and says that these "might very well seem to beautify this kind of death" (fol. 125).

2713 *induced.* Introduced.

2716 *reduced.* Brought back (from error); M "redeemed" seems a trivialization.

2719 *ten . . . citizen.* Bodin's estimates are ten to one in Rome, but one hundred to one in Athens.

2721 *above four thousand.* As well as much cattle and 60 million sesterces in cash; Isidorus was a freedman.

2721 *Vedius Pollio.* The source is one of three treatises on laws connected with sport printed in *Tractatus tres . . . de venatione, piscatione, et aucupio* (Speyer, 1605).

2727 *expetit . . . falli.* "States are better off deceived in matters of religion." Scaevola was a learned Roman priest who felt that intellectualized notions of deity, even if true, were harmful to the social order.

2731 *ne . . . homines.* "Lest men be tempted to it"; the work of Pruckmannus was also printed in the *Tractatus tres* cited above.

2731 *Mahomet. . . .* Donne cites the posthumously published work of the important Aristotelean philosopher, Piero Pomponazzi, *De naturalium effectuum causis, sive de incantationibus* (1567), a scientific inquiry into "miraculous" phenomena; Mohammed is mentioned as an instance of how appeals to the supernatural may be abused.

2736 *at large.* At length; Dorotheus tells the story (*PG* 88, 1743Cff.) as an example of the wretchedness entailed in a passion's becoming a habit.

2737 *friars.* Brothers; the word was used loosely to designate any man in a regular religious order.

2740 *quibus . . . Angliae.* "Through whom they abound in the realm of England." According to Binius, the council took place in 1237.

2742 *severer laws. . . .* Exodus xxii 1 and 4 stipulate double to five-fold restitution as the penalty for theft, but it was a capital crime in England. Alteration of the scriptural norm was justified by the principle of constructed laws (see note to 2375, above); punishment serves as a deterrent, and so whatever penalty a state finds necessary to deter a crime is acceptable to justice.

2745 *all things . . . community.* This is a natural law doctrine holding that, as all things made by God for human use were common to all until *ius gentium* established private property, such things return to their original commonalty for persons in extremity of need; thus such persons are not guilty of theft, since they take what is their own under that condition. See Aquinas, *ST*, la2ae, q. 94, a. 5; the doctrine is analyzed by Castrensis in *De potestate legis poenalis*, II.iii (*Opera* [Paris, 1578], vol. II).

2748 *Scotus.* Duns Scotus, the fourteenth-century philosopher, in his commentary on Lombard's *Sententiae.* Sayre (VII.viii.4) cites the passage to show that Scotus and the Waldensian heretics were the only absolute interpreters of Exodus xxii 3.

2759 *Jerome. . . .* In Epistola 52 (*PL* 22, 532); the law, incorporated in the *Codex Theodosianus*, was enacted in 370 to deter clergy from cultivating widows and orphans in order to procure legacies.

2773 *Ignatius. . . . PG* 5, 938; the term "murderers of Christ" is interpreted as "contemners of Christian law." Commentators cite similar decrees in the *Canones apostolorum* and *Constitutiones apostolicae.*

2780 *Navarre. . . .* In later editions of the *Manuale*, Navarre, then close to 100 years old, stated that in his youth he felt he needed absolution for having attended a bullfight; but now, he says, he thinks it not a sin in itself, and he exonerates it on the same principle Donne discusses in I.ii.2: when the reason for a law ceases (as when bullfights are conducted with safety precautions) the law loses its power to bind.

2784 *Solon. . . .* Sayre cites this (VI.ix), and gives the fine as ten drachmae.

2786 *Salic Law.* The code of the Salian Franks, issued in the sixth century, after their conquest of Gaul; editions were printed in 1573 and 1602. It is primarily a schedule of fines for criminal offenses; that for the crime Donne cites is 200 *solidi.* For comparison: theft of most suckling animals cost three *solidi*; homicide varied from 300 to 600 *solidi.*

2788 *Bartolus.* Bartolus of Saxoferrato (1313–1355), professor of Civil Law at Bologna, Perugia, and Pisa, and one of the authoritative commentators; Donne cites the *Interpretum iuris civilis coryphaei* on *Digesta*, lib. III, tit. ii, lex 2.

2807 *of their.* This emendation repairs the senseless "either" of both texts; the error may have arisen through a scribe's effort to interpret a dittography in Donne's holograph.

2811 *outward penances. . . .* Donne cites here the *Synagoga Iudaica, hoc est Schola Iudaeorum* (Hanau, 1604), by Johannes Buxdorf the Elder, professor at Basel and one of the leading Hebraists of the day.

2815 *Gallatin . . . Molther.* Piero Colonna Galatino, a Franciscan, is the author of *De arcanis Catholicae veritatis in Hebraicis libris* and *Opus toti Christianae reipublicae* (1518); Donne mentions him in *Pseudo-Martyr,* III.i.13, as one who proves all truths out of the Talmud. Carlo Sigonio, best known as a historian of Rome, wrote *De republico Hebraeorum* (1582), and Johannes Molther wrote a *Malleus obstinationis Iudaicae* (1600).

2817 *oratorily.* Josephus offered the example while pleading for his life. Vespasian had offered him asylum after the long siege at Jotapata (A.D. 67); Jewish leaders did not want him to accept, and insisted that he participate with them in a mass suicide. To save his life, he made this speech. It proved unpersuasive, however, and he had to escape by trickery. Donne treats some of Josephus' arguments at II.iv.8–11, below.

2820 *in terrorem.* "As a deterrent"; this custom is also attested in Aeschines, *Contra Ctesiphon,* 244.

2824 *Tarquinius Priscus.* The fifth King of Rome (616–579 B.C.), responsible for construction of the city's sewers. Laborers conscripted to do the job found it so intolerable that they committed suicide in large numbers. The solution of crucifying their dead bodies succeeded, according to Pliny, because of the characteristic Roman sense of honor: "What would shame them alive would be as shameful to them dead."

2828 *virgins of Milesium.* Gellius, Donne's source, reports this in his *Noctes Atticae,* on the authority of Plutarch. Without evident cause, large numbers of young women took their lives by hanging themselves; the epidemic was stopped only through the example of shameful funerals—the girls were carried to their graves naked and bound with the rope they had hanged themselves with.

2844 *Donatus.* Not the founder of the heresy, but a priest of the Donatist party. The Gloss to the canon in Gratian's *Decretum* gives the circumstantial details as Donne cites them. For the entire letter, see *PL* 33, 753–56.

2850 *constrained to do evil.* As related by Augustine, Donatus' argument was that, as God gave him free will, he should not be constrained to the orthodox party's notion of proper behavior.

2858 *confessaries.* Confessors. The opinion on the relative merits of Navarre and Sotus which Donne ascribes to "the confessaries of these times" is more likely to be his own. Navarre's *Manuale* had, in its many editions, a much wider circulation than any book of Sotus', but it is perhaps only as a canonist that Navarre could be regarded as of greater or sounder learning than Sotus, who was the most richly endowed Thomist theologian of his generation. The *De ratione tegendi* is Sotus' only extensive venture into casuistry, and it may be that Donne had not read his major work, *De iustitia et iure* (see note to 3516, below). But the virtue of utility in Sotus is not something Donne invented. *De ratione tegendi* is distinguished throughout by its practical intelligence and a disinclination to waste words over the bizarre or improbable cases that casuists often dealt with. As Sotus put it (III.4), "In moral philosophy, cases confected from imagination solely are not to be considered."

2870 *nice.* Fastidious.

2880 *other place.* The canon *Si non licet* is composed of extracts from *De civitate Dei,* Book I: all of chapter 17, discussing the guilt principle Donne cites here and Judas' suicide; the first half of chapter 20, arguing that the commandment "Thou shalt not kill" applies to one's self more than to one's neighbor (Donne's discussion of this is in III.ii.8); the last sentence of chapter 20; all of chapter 21, discussing exceptions to the commandment, including Samson; and the end of chapter 26, quoted by Donne in this section, 2888–93 and 2924–25.

2886 *Nemo . . . causa.* "No one may be punished in the absence of a fault, unless there is an underlying cause." This is the twenty-third "rule of law" in the last section of the *Liber Sextus* in the Canon Law. Donne's point is that death self-inflicted as punishment may have a reason other than the inflictor's guilt.

2888 *Hoc . . . approbamus.* "We assert this, we aver this, in every respect we approve this."

2897 *Valens. . . .* Co-emperor, with his brother Valentinian I, 364–378; on his death, Theodosius was named to succeed him. The generally accepted version of the episode Donne relates is in Ammianus Marcellinus, XXIX.29ff. (see N. H. Baynes in *The Cambridge Mediaeval History*, 2d ed. [1924], I, 226), and there are variations of it to be found in almost all the chroniclers of late antiquity and the middle ages. What Donne gives bears some resemblance to the accounts in two of his historical sources: Nicephorus Callistus, XI.45 (*PG* 146, 727B–C), and Vincent of Beauvais, *Speculum historiale,* XIV.99. But neither of these, nor any other source, implicates the Neoplatonic philosopher Iamblichus (who died ca. 330), not even the very fanciful biography of him that Donne might have read in Eunapius' *De vitis philosophorum.* We cannot name a source for Donne's version.

2905 *Antonius de Corduba.* Spanish Franciscan casuist (1485–1578); Donne's citation is partially close paraphrase and partially translation from the *Tratado de casos de consciencia* (Toledo, 1573), sig. K3.

2915 *cases.* Emendation for Q M "cures," which perhaps arises from the attraction of "curate" in line 2914.

2920 *salvamur . . . parentum.* "Let us be saved in the faith of our fathers."

2920 *Pindarus.* The Greek lyric poet; the story is told by Hesychius of Miletus, a late classical anecdotist whose *Illustrationes de . . . philosophis et de aliis scriptoribus* were printed with Diogenes Laertius' *Vitae* in 1593 and 1596.

2926 *one . . . obliged.* Petrus Thyraeus, a Jesuit specialist in demonology and angelology; Donne cites the *De daemoniacis liber unus* (Cologne, 1594), a book in his own library (Keynes, L179).

2934 *persecutions.* M's plural agrees with the source.

2934 *absque . . . periclitatur.* "Except where chastity may be endangered." The Gloss to this canon, on the basis of the absolute Augustinian prohibition in the canon *Displicet,* argues that *absque eo* ("except where") should be read "inclusively," to mean *nec in istis* ("not even where"). Azorius (III.ii.3, which Donne had not read) also disagreed with the Gloss, but he did not interpret *castitas* so broadly as Donne wishes.

2940 *qualem . . . mortem.* "Just as death finds a man, so does a man find death." The five *Contemplationes Idiotae* were printed in the *Monumenta sanctorum patrum orthodoxographa*; "Idiot" is the pseudonym of Raymundus Jordanus, a fourteenth-century Augustinian canon.

2944 *Lavater.* Ludwig Lavater (1527–1586), a pastor in the Reformed Church at Zürich, author of controversial works and several commentaries on Old Testament books. His essay "De his qui mortem sibi ipsis consciscunt" is found not in a Samuel commentary, as Donne's citation has it, but in Lavater's *In libros Paralipomenon sive Chronicorum . . . commentarius* (1573, etc.), appended to expositions of the passages on Saul's death in I Chronicles x. Lavater is as unsympathetic as Augustine to suicide in order to prevent rape, and he cites the latter's argument that the virgins would have remained innocent as long as their wills did not consent; but he recognizes the possibility of mitigating factors, and he notes the church fathers who found such suicide acceptable.

2950 *Peter Martyr.* Pietro Martire Vermigli (1500–1562), an Italian theologian who adopted Protestant views, left Italy for the Calvinist communities in 1542, and spent 1547–1553 in England as professor of divinity at Oxford. His treatment of suicide is an excursus, "An liceat cuiquam sibi adferre manus," appended to his exposition of I Samuel xxxi, the death of Saul (*In duos libros Samuelis . . . commentarii doctissimi,* 1564, etc.).

2952 *mors malum.* "Death is an evil." Martyr argued from I Corinthians xv 26 that death is God's enemy, and so "evil by its nature."

2953 *Clemens. . . .* See 2005, above.

2956 *malum . . . sumus.* "The evil by which we are evil." In the article cited, Aquinas distinguishes *malum poenae,* evil as punishment, from *malum culpae,* evil as fault, the source of human failures to meet obligations for which human beings are held responsible; God, says Aquinas, is the author of punishment, but man is the author of fault.

2957 *patient.* Sufferer, e.g., the man born blind.

2962 *Thyraeus . . . Chrysostom.* That two- and three-year-old children are found possessed proves to Jerome and Chrysostom that sin cannot be the reason, but Thyraeus does not say that possession manifests God's glory. Donne may, however, have inferred it from Thyraeus' examples of Job and the man born blind.

2966 *rationem mali.* "Substance of evil." Donne puts this thought together from Aquinas' statement in the article cited, that "*culpa* has more *rationem mali* than *poena,*" and the maxim Aquinas cites from the pseudo-Dionysus, "To be punished is not an evil, but to deserve punishment is."

2972 *bonus . . . adulteri.* "A good use of evil, that is, of concupiscence, the evil used evilly by adulterers." Donne seems to be paraphrasing a passage in *De bono conjugii,* III.3 (*PL* 40, 375).

2974 *in . . . licentiam.* "The license in marriage to sin"; Paulinus found Severus' steadfastness in virtue more miraculous than his own, because Severus had worldly ties (*PL* 61, 170A).

2979 *Musculus.* Wolfgang Mosel, one of the expositors included in Marlorat's *Catholica expositio*; what Donne cites is, however, there attributed to Martyr.

2981 *cooperari ad salutem.* "Assist in salvation."

2986 *Calvin notes.* At I Corinthians xv 26, cited in Marlorat.

2988 *vita donum.* "Life is a gift."

2993 *ponere animam.* "Offer my life."

2995 *many other.* Aquinas, *ST*, 2a2ae, q. 64, a. 5, seems to have originated this argument.

3000 *reverend man.* Humphrey insisted that prohibition of confession was absolute in the Anglican Church "after the example of the Waldensians," an anticlerical and antisacramental sect that originated in the twelfth century.

3012 *ordinary judges.* Judges with authority in their own right, rather than through deputation, to assume jurisdiction in a cause.

3012 *Baldus.* Baldus de Ubaldi (1327–1400), Italian civilian whose *Commentaria in Codicis libros* was a standard authority.

3012 *in facto notorio.* For an infamous crime, a felony.

3014 *praetor.* Roman magistrate responsible to a consul.

3015 *non obstante.* "Notwithstanding."

3017 *Theodericus.* Emendation from the source, Filesac, ed. cit., sig. E2.

3018 *sui iuris.* In the Roman Law, independent, that is, not under the jurisdiction of a father.

3023 *John XXII.* Pope, 1316–1344; the source cited is Ioannes Nauclerus, *Chronica . . . ab initio mundi usque ad annum Christi nati MCCCCC* (Tübingen, 1516). Three of Donne's exceptions to the rule prohibiting self-jurisdiction—the power of ordinary judges, the Roman statute *Si consul,* and John XXII's election of himself—are cited by Acacius in the passage referred to at 3064, below.

3036 *iuvando et miserendo.* "Helping and commiserating"; Donne here takes Heurnius' description of the Essenes' rules of communal life to depict the greatest imaginable restriction of human initiative.

3036 *this.* Probably "inflicting punishment" (3033) or the self-jurisdiction required to do so; but it possibly refers to self-homicide itself, as Donne has frequently used the pronoun elsewhere in this sense.

3038 *evident to prove.* Conclusive.

3039 *that in . . . privilegio.* With allowance for loose syntax, and revision of the Q and M punctuation (see the apparatus), the passage may make sense; read "that . . . *privilegio*" at 3039–41 as the second object of "I see not but" (3036). Another possibility, which entails considerable redundancy, is to read "that . . ." at 3040 as a third object of "I see not but," with "then" in 3040 taken in a temporal, rather than consequential, sense.

3040 *cedere . . . privilegio.* "Yield his right" and "not use his privilege." Donne's aim in introducing this idea is not altogether clear; therefore, the direction of the remainder of II.iv.7 is equally unclear. Abdications of papacy or kingship (3042ff.) entail yielding the privilege of self-jurisdiction; if spiritual freedom (3050ff.) justifies such abdications, then the same freedom, specifically freedom of conscience (much wider in scope than what restricts, for example, the "slavish" Essenes), justifies the exercise of self-jurisdiction "in secret cases between the spirit of God and my conscience" (3059). It may be that 3038–51 should be read as a long parenthesis interrupting the argument on self-punishment as a legitimate exercise of self-jurisdiction in certain cases.

3042 *Gregory. . . .* Simultaneous abdication of the contending popes (Gregory XII, John XXIII, and Benedict XIII) was proposed at the Council of Constance as a solution to the Schism; all three were, of course, reluctant. The general condemnation of Gregory for promulgating the idea that he was bound to retain the papacy appears to support Donne's point in 3039–41: as pope, Gregory could have used his privilege of self-jurisdiction to absolve himself from his oath, but he was dishonest in not admitting that he was entitled to yield the privilege, as kings had done in abdicating their governments.

3046 *derelinquish.* Abandon.

3049 *one says. . . .* Conrad Schlüsselburg, a copy of whose *Catalogi haereticorum . . . liber XIII* (Frankfurt, 1599) Donne owned (Keynes, L210). The context of what Donne cites is an attack upon Protestant compromisers who held some points of doctrine as indifferent between themselves and the Catholics, and so accepted certain religious settlements in the interest of civil peace.

3053 *probably.* Q "probaly" is unattested elsewhere, although the *OED* cites *Othello,* II.iii.344, for "probal."

3064 *rigor of words.* As Acacius explains, the same person may not be both the giver and receiver of a privilege; this theory remains applicable to sovereigns because their privileges are inherent in their status.

3071 *particula Dei.* "A little piece of God."

3076 *Velle . . . imperio.* "He who bows to the state is assumed not to choose"; *Digesta,* lib. L, tit. xvii De regulis iuris, lex 4.

3077 *particular . . . commission.* Amounting, that is, to divine suggestion or commandment; this was the traditional justification for the suicides of Samson and of many Christian women who took their lives to prevent sexual abuse during persecutions. Its source is Augustine, *De civitate Dei*, I.21, and it is commonly repeated in all the subsequent discussions of the issue. In *Pseudo-Martyr*, II.4, Donne said that a "secret and inward instinct and moving of the Holy Ghost" may have guided Samson and the women, "yet there are many other reasons which authorize and justify those zealous transgressions of theirs, if any such were."

3081 *greater injustice. . . .* The suppositiously Aristotelean *Problemata* gives three reasons: first, the relationship between depositor and depositary is one of friendship, while the creditor-debitor relation is not; second, betrayal of trust is involved in withholding the deposit; and third, depositors are usually worse off than lenders, and so the harm, as it falls on the less fortunate, is greater.

3086 *in conscientia errante.* "In an erring conscience"; see 3816ff., below, and Introduction, pp. xxxi–iv.

3087 *ex . . . culpa.* "The depositary is responsible for as much of the deposit as was lost through fraud, not through fault," i.e., one may be a careless banker, but not a deceitful one.

3088 *data fide . . . depositi.* "Given in trust" . . . "as if a deposit."

3093 *Cicero and Macrobius.* At the end of Book VI of Cicero's fragment *De republica*, the visionary Scipio is cautioned that voluntary death entails men's shirking the duties assigned them by the deity. In his commentary on Scipio's dream, I.13, Macrobius (fl. ca. 400) pointed out that this thought originated in the Pythagorean maxim cited by Socrates in Plato's *Phaedo*, 62D: one may not desert one's post in the battle of life until properly relieved by God. Cicero discussed this maxim also in *Disputationes Tusculanae*, I.30, and again in *De senectute*, 20, where he added another similitude: as the builder is best qualified to tear down the house he has built, so nature is best able to undo its own work. Compare Spenser, *Faerie Queene*, I.ix.41.

3102 *save his own life.* See note to 2817, above.

3103 *ex animo.* From the heart, sincerely.

3103 *dispassioned.* Free from impersonation of another's passion (as Josephus was not when he reported Eleazar's oration).

3124 *idle.* Foolish, mad.

3127 *damnified.* Damaged by loss of goods.

3131 *resume it.* I.e., at the resurrection.

3139 *moral virtues.* The traditional pagan, or cardinal, virtues: justice, temperance, prudence, and fortitude.

3141 *another room.* III.v.9, below.

3142 *charity.* Not a moral, but a Christian virtue; see below, 3194.

3143 *two respects. . . .* For the first, Aquinas' argument is derived from Aristotle, *Nicomachean Ethics,* V, especially 1138a5ff.; for the second, God's ownership of and jurisdiction over the body, Aquinas cites Deuteronomy xxxii 39, which Donne discusses in III.ii.3, below.

3151 *in genere rei.* "In essence."

3152 *Navarre and Sayre.* The former is evidently Petrus Navarrus, cited by Sayre (VII.ix.2); the argument is that suicide is not an offense against justice defined in the strictly political sense. Cf. Sotus, *De iustitia et iure,* V.i.5.

3161 *dominium . . . usum.* Technical terms in Roman law. "Dominium" implies full power over property, including the right to dispose of it freely, while "usus" is limited to use alone.

3162 *lose.* Or "loose," or both; Sayre uses *perdere* and *dimittere* to signify the action of letting one's life be taken for laudable reasons.

3172 *cedere iure suo.* "To yield its right."

3179 *authors.* Sayre (VII.ix.2), for example, who also makes the point that damages to the state through a suicide might be required of the suicide's heirs.

3189 *Aquinas.* Donne's citation seems erroneous; it is in *ST*, 2a2ae, q. 64, a. 5, that Aquinas raises, in order to refute it, the argument that suicide is no injustice because no one can be unjust to himself. While the Aristotelean principle (*Nicomachean Ethics,* V.11.1138a9ff.) is maintained, Aquinas insists on the suicide's injustice to God and the community, as well as uncharitableness to the self.

3192 *non . . . emenda.* "Not at all an expulsion, but an improvement": Cicero's reaction to his reception at Rome upon return from exile, as given in Fabricius.

3207 *consist . . . doctrine.* In the passage referred to, Aristotle called death the ultimate ill and the most terrifying thing, in the interest of showing that to face the danger of death voluntarily is the mark of a courageous man. It may be here that Donne sees an inconsistency; or it may be in Aristotle's statement that death is the ultimate ill, yet death puts an end to both good and ill for a person. In *Pseudo-Martyr*, I.3, Donne cites with approval Aristotle's reasons for deterring suicide.

3208 *slippery*. Easy or, perhaps, deceitful (see *OED*, s.v., sense 4).

3210 *unsufferable*. Unable to tolerate adversity.

3212 *one . . . reasons*. That death is an evil (II.iv.4, above).

3224 *a toto or a tanto*. "From all" or "from so much."

3228 *mathematician's*. Astrologer's. The declamation cited is a compendium of classical thought in justification of suicide.

3245 *privati . . . omittere*. "Private persons sin by commission, princes by omission." The work cited is a lengthy homily on the duties of Christian rulers, addressed to the Emperor Justinian by Agapetus the Deacon; frequently printed in the sixteenth century, it probably came to Donne's attention in the *Monumenta sanctorum patrum orthodoxographa*.

3248 *Fame . . . occidisti*. "If you do not feed a man dying of hunger, you have killed him"; the canon cites Ambrose's *De officiis*.

3250 *irregular*. Disqualified, because of an illicit act, from performing the offices of a regular clerical order. We have not identified the source Donne cites; it appears not to be a work by either of the canonists Flamineus Parisius or Paris de Puteo.

3253 *this medicine. . . .* One is not ordinarily required to take medicine to prolong life, unless one feels bound in conscience to do so, as "when one has a moral certainty that by a certain drug one will recover health, while without it one will die; in such a case, without just cause to abstain, one may hardly be excused from mortal sin if one does not take the medicine, since in that case the medicine is *per se* ordained by nature to health" (Sayre, VII.ix.28; cf. Ecclesiasticus xxxviii 1). During his final illness, Donne took a medicine for ten days on the advice and insistence of a doctor, and then abandoned it, saying he would take no more "upon the best moral assurance of having twenty years added to his life, for he loved it not" (Walton, sig. F5^v).

3256 *attend . . . beasts*. Closely paraphrased from Sotus, *De ratione tegendi*, I.iii.

3265 *we*. The English. The example is drawn from *Les plees del coron* (1557, etc.), I.2, a collection of cases and commentaries by the judge and legal scholar Sir William Stanford (1509–1558). This case involved a woman who ambushed her husband and left him for dead; he raised the hue and cry, and she was apprehended, convicted, and burnt.

3269 *in atrocibus.* "Among the severest crimes."

3270 *Draco's laws.* Instituted in the late seventh century B.C.

3272 *Tolet.* Franciscus Toletus, a Spanish Jesuit who became in 1593 the first member of his order to be made a cardinal (to which Donne satirically refers in *Ignatius,* p. 45). Cited is his *De instructione sacerdotum et peccatis mortalibus libri octo* (Lyons, 1606). In the "five ways" under which Tolet treats homicide, "permission" is defined as tacit approval or connivance, rather than official sanction; and the "fact itself" means the actual execution of the deed, e.g., striking the blow that kills.

3280 *one notes.* Johannes Reuchlin (1455–1522), German humanist, pioneer in Hebraic studies, and a keen student of Jewish mystical texts. The latter interest is reflected in the work Donne cites, *De verbo mirifico*; discussing the primal sin, Reuchlin noted that "all were punished, the serpent for his advice, Eve for her help, and Adam for the transgression."

3288 *mandatorem . . . subiici.* "The suborner and the suborned are liable to the same punishment." The reference is to Bartolus' comment on *Digesta,* lib. XLVII, tit. x, lex 11.

3294 *cuius . . . nolle.* "Whoever has the freedom to consent has also the freedom to refuse" (*Digesta,* lib. L, tit. xvii De regulis iuris, lex 3).

3295 *malum poenae.* See note to 2956, above.

3296 *eremite. . . .* Sulpitius Severus' life of St. Martin is cited from Thyraeus, *De daemoniacis,* xxxi.426.

3301 *pro . . . optamus.* "For the sight of God, we would give our body a thousand times to death"; Donne quotes one of the spurious letters of St. Martial of Limoges (they are medieval forgeries) printed in the *Monumenta sanctorum patrum orthodoxographa.*

3304 *Nolle . . . habitudinis.* "To refuse what is better is the corruption of the primal condition"; there is nothing in Pico's *Heptaplus* which closely corresponds with these words, but they could be Donne's extraction of an aphorism from the several passages exhorting man toward his higher nature.

3306 *it is sin. . . .* Paraphrased from the *Quaestiones quodlibeticae* (1515, etc.) of Pope Adrian VI (died 1523). Donne's phraseology may be clarified by a translation of Adrian's words: "A man sins in choosing to do, or wishing that he could legitimately do, something contrary to reason or justice or truth. . . . Likewise [it is sin] to wish something were just whose contrary is, by natural and immutable law, just, even if that injustice could be made just by positive law" (Paris, 1522 ed., sig. I7).

3310 *Is it.* The M reading "nor is it" (evidently from the attraction of the previous phrase) makes the sentence assertive of something not yet defended; Q's mark of interrogation after "done" in 3312 is consistent with the stage of the argument.

3313 *two extreme religions.* The Roman Catholic, which would make the pope a universal ordinary, i.e., judge of all causes unresolved at levels below his jurisdiction, and Calvinism (or Puritanism), which would have a government of elders. Calvin himself was not a direct proponent of disobedience to secular governments; Donne probably has Bèze in mind as representative of the extreme Calvinist wing, and the Jesuits, or Windeck, of extreme Catholics.

3315 *Curse not. . . .* Ecclesiastes x 20.

3325 *via regia.* "The royal (*scil.,* royalist) road." Donne cites Hadrian Saravia, a Flemish theologian who lived in England from 1584. His defense of episcopacy and church government by the crown, *De imperandi authoritate et christiana obedientia* (London, 1593), brought him preferment in the English church; he was among the translators who worked on the King James Bible.

3330 *vicarius Dei.* "The vicar of God."

3331 *that book. . . .* An anonymous tract, whose title continues, "touchant les fonds de toutes les affairs d'Estat d'iceluy et de toute la Chrestianté, en laquelle est demonstre que toute icelle Chrestianté est en un poinct de decadence totalement intolerable: Et que la principale cause de ce gist en ce que les dominateurs de l'Estat de'Espagne, et les Jesuites leurs Prophetes. . . ." *Politique* in sympathy, it represents lawyers and intellectuals as the best sources of statesmanly counsel. The "malignity" with which Donne credits the author is reflected in such comparisons as the King of Spain with Mohammed; and the Jesuits are compared with the Sodomites, for their perversions of Aristotelean logic, whose restoration in its purity is offered as a solution to the world's problems. A. A. Barbier, *Dictionnaire des ouvrages anonymes,* I (1872), 846e, notes evidence for its authorship by one Brochard, a lawyer.

3338 *Beccaria's . . . be Beza's.* The title page of *Du droit des majistrats sur leur sujets* (1574; first Latin edition, 1576) read "publié par ceux de Magdebourg"; the ascription to Bèze, though, was correct (see Frédéric Gardy, *Bibliographie . . . de Théodore de Bèze* [Geneva, 1960], pp. 162–65). Georgius Draudius, *Bibliotheca classica, sive catalogus officinalis* (Frankfurt, 1625), I, 784, lists a "Ioan. Beccariae refutatio cuiusdam libelli sine auctore, cui titulus, De iure magistratum in subditos, & de officio subditorum erga magistratus, apud Cornelium Nicolai 1604." We have not been able to locate a copy.

3341 *as tranquility was. . . .* In Bèze's opinion, "the first duty of a prince is to maintain, with all his power, pure religion among his subjects, against its enemies both within and without"; the marginal rubric to this passage reads, "The true end of well ordered states is not tranquillity in this life, as some pagan philosophers held, but rather the glory of God" (*Du droit des magistrats,* ed. R. M. Kingdon [Geneva, 1970], p. 64). In *Pseudo-Martyr,* VI.2, Donne said the object of secular government was "to conserve us in peace and religion" (sig. 2C2^v); the king's task was moral virtue, and "all religious worship of God is moral virtue" (VI.37, sig. 2F1^v).

3344 *lawful to wish. . . .* Carbo gives this as an example of the legitimacy of wishing a sinner ill if a spiritual good or a communal benefit will result; one does this "from charity."

3347 *sin to offer. . . .* Donne cites here one of the most widely circulated confessors' manuals, the *Summa summarum de casibus conscientiae,* written ca. 1515 by Silvestro Mazzolini da Prierio, and later dubbed simply the *Summa Sylvestrina.* This opinion was repeated by Navarre, *Manuale* (1589), xv.12, immediately after the passage Donne next cites.

3374 *last religion.* Most recently founded religious order. Philip Neri (1515–1595) founded the Oratorian Congregation, which received papal recognition in 1575; the work of Baronius, one of Neri's disciples, reflects the Oratorian emphasis on hagiography and ecclesiastical history. The *Vita beati patris Philippi Nerii* (Mainz, 1602), by Antonio Gallonio, is filled with miracles and moralizings similar to the one narrated here, said by Gallonio to have occurred in 1583.

3378 *perfect . . . office.* Finish the rite.

3388 *Book of Conformities.* This is a Franciscan tract, the *Liber conformitatum vitae beati Francisci ad vitam domini Iesu Christi* (Milan, 1510), written by Bartholomaeus d'Albizzi.

3392 *Sedulius.* The *Liber conformitatum* called forth a satiric reply, titled *Alcoranus franciscanorum.* Henricus Sedulius (de Vroom) answered this with his *Apologeticus adversus alcoranum franciscanorum pro libro conformitatum* (1607), a book Donne owned (Keynes, L163). Sedulius is subjected to heavy ridicule in *Pseudo-Martyr,* chapter II.

3397 *option.* M's reading, justified by its reference to Maximus' choice, rather than to the "opinion" that his choice was correct.

3400 *mors negativa.* Sayre (VII.ix.12–33) discusses a number of doubts over the licitness of situations wherein one may "kill one's self negatively or indirectly," that is, not do whatever would in the given circumstance preserve one's life.

3403 *stand mute.* Refuse to plead when accused of a crime, in order to avoid trial and conviction. Malefactors facing confiscation of goods if convicted might choose to stand mute in order to retain property for their heirs, but they faced execution by the so-called *peine forte et dure,* being pressed to death under iron weights.

3407 *law . . . evil.* See the discussion of this principle at 4483ff., and the note on that passage.

3417 *charity begins. . . .* Sotus said, "Charity, by which one is held to love one's self, essentially and primarily binds only with respect to the spiritual goods of virtues and grace; but with respect to temporal goods, it does not bind except insofar as these may be necessary to a spiritual end" (cf. I Corinthians xiii). In *Pseudo-Martyr,* Donne paraphrased Sotus without citation as follows: "at least *in spiritualibus,* charity begins at home" (sig. 2H3^v).

3426 *third rule.* Here Donne cites the *Summula quaestiones casuum conscientiae difficillimas in se complectens* (Cologne, 1604), an editorial compilation of opinions from the Spanish Jesuit Juan de Maldonado; this book was formally condemned at Rome in 1605 (Sommervogel, V, 411). The context of the rule is the question of whether a man must repudiate his adulterous wife, the answer being that he has the privilege, but is not compelled to exercise it.

3433 *Gerson. . . .* Jean Gerson (1363–1429), chancellor of the University of Paris from 1390, theologian, and a leading figure in conciliar efforts to resolve the Papal Schism. Donne probably refers here, as he does in *Ignatius,* p. 83, to Gerson's *Libellus de auferabilitate papae* (*Opera omnia* [Antwerp, 1706], II, 209–24), a statement of various causes for removal of a pope by an ecumenical council.

3433 *Acacius.* Acacius said that almost all authorities agreed that "when one is assaulted contrary to all justice and cannot otherwise escape, even an emperor or pope may be killed in defense of one's own safety."

3439 *Sayre. . . .* This is not to Sayre a case of suicide, but one "of not conserving one's life when one is not bound to do so"; citing Christ, who could have defended Himself but did not, Sayre calls such sacrifice "a deed of superabundant charity," adding, however, the qualification that a person of public importance is obliged to defend himself (VII.ix.19).

3446 *Vindicans . . . facit.* "A revenger is not guilty, but one who suffers patiently does best."

3449 *pardon.* According to Pollock and Maitland, in cases of homicide in self-defense, from the time of Henry III, the judges "do not acquit, nor can they pardon him, they bid him hope for the king's mercy" (*History of English Law,* 2d. ed. [1898; rpt. Cambridge, 1968], II, 479).

3459 *casually.* By accident.

3460 *a man condemned.* The context of this opinion is that of laws providing for ransom of the convict by the ransomer's submitting himself to perpetual bondage; money is not at issue.

3466 *against him.* Defending those who disagree with Aquinas, Sayre offers the reason *ex bono fine*: the convict will wish to fulfill justice, to serve as an example to others, and to prefer a public interest to a private one. Among authorities Donne consulted, only Franciscus de Victoria ("De homicidio," *Relectionum theologicarum secundus tomus* [Lyons, 1557]) agreed altogether with Aquinas.

3468 *symbolum . . . pravitatis.* "The token of idolatrous depravity"; the Navarre named is Petrus Navarrus, cited by Sayre.

3477 *ourselves.* M "our lives" is possible and perhaps correct, but in discussing consents to adultery and mendacity, Donne appears to have a more inclusive idea of self-sacrifice than that of life alone.

3477 *good of our neighbor.* Common opinion (e.g., Tolet, V.vi) recognized four circumstances in which self-sacrifice in this interest was licit: to benefit one's nation, to free a condemned friend, to exercise one's duty in war, to save the life of an important public person. In only the last is self-sacrifice obligatory, and in no circumstance is directly self-inflicted death permitted.

3480 *Sarah.* Genesis xii 11-20, xx 1-14; this is Donne's summary of a longer passage in Chrysostom (*PG* 53, 300).

3484 *consented to any sin.* Augustine assumed Abraham's certainty that God would not let Sarah be abused.

3486 *example. . . .* Augustine declines authoritative judgment on this because it is not a scriptural story, and because he is impressed by how the circumstances colored the action—the husband was under threat of execution for the debt, and so the woman in fact saved his life (*PL* 34, 1254).

3494 *Bonaventure. . . .* The next two places cited, from Bonaventure and Augustine, come from Sayre (VII.ix.12–14), as do the three fathers, four schoolmen, and the "infinite" others (six, in fact) whose opinion contrary to Bonaventure's Donne cites in words close to Sayre's. Sayre does add that persons with heavy responsibility to nation or family ought prudently to refrain from self-sacrifice.

3499 *Bannes.* Domingo Bañez (1528–1604), Dominican scholar at Salamanca and the confessor of St. Teresa of Avila.

3506 *sub praecepto.* "Under commandment." Sayre cites another passage from Augustine's *De mendacio,* 6 (*PL* 40, 494): "A Christian does not hesitate to lose his temporal life for the eternal life of his neighbor."

3516 *Sotus denies.* His opinion on this frequently disputed case is in *De iustitia et iure,* V.i.6, and is not quite as Donne gives it (he seems to have had it from a secondary source, perhaps Tolet). Sotus held that a son might, before taking possession of a board, allow his father to take it, because this would not be "killing himself positively, but letting himself die"; but if the son were already in possession of the board, then he could not give it up, for that would amount to "throwing himself into the sea."

3523 *the Canons.* The reference is to *De consecratione,* the third part of Gratian's *Decretum.*

3530 *he.* Jerome, cited by Sotus.

3533 *Cassianus.* St. John Cassian (ca. 360–ca. 435), whose *Collationes* were among the most influential of the early monastic writings; for the story, see *PL* 49, 553A.

3535 *immediately.* Without intermediary, directly.

3540 *ne . . . videretur.* "Lest he seem to be a self-homicide"; Donne extracts the sense of a longer passage in Bosquier.

3541 *esuriit.* "He hungered" (Matthew iv 2).

3546 *dum . . . Deo.* "As we enrich the body, we render ourselves more mortal" . . . "by weakening we make ourselves more like God."

The passages resemble Porphyry, *De abstinentia,* I.30 and II.26, respectively; the citation to *De occasionibus* for the second is inexplicable to us.

3556 *his Life.* Bonaventure's *Vita sancti patris Francisci* was printed in Antwerp, 1597, with a long commentary by Sedulius.

3558 *Prester John his dominions.* Ethiopia, or Abyssinia; Prester John was said to be the ruler of this legendary Christian kingdom in the East, first reported in the twelfth century. M's reading "Pretelon" is an admissible variant form (cf. "Prete-Ian" in *Essays,* p. 35).

3560 *Abbas Ursberg.* The name given to a chronicle written in the thirteenth century by Burchardus, prior of the monastery of Ursberg; it was revised by a later abbot, Conrad of Liechtenau, and printed as his in the sixteenth century. Donne's citation indicates a secondary source, the *Historiae poetarum . . . dialogi* (1543, etc.) by the Ferrarese antiquary Lylius Gregorius Gyraldus; the citation seems to be awry, since there are only ten dialogues in the book, and we have not found this information anywhere in it.

3561 *received . . . Savior.* Taken communion.

3565 *bound . . . enjoined.* Sayre's reason is that mortification of the flesh is not the only ground for fasting; other grounds include cultivation of obedience and elevation of the mind towards God.

3568 *qui dormit, prandet.* "He who sleeps eats," a proverb cited fancifully by Bosquier, which is still in use in France today (*qui dort dîne*) to refer to a hotel guest's obligation to take and pay for meals on the premises.

3569 *forty days' conversation.* Exodus xxiv 18.

3572 *Jerome. . . .* "We [Catholics] fast for one Lent, according to the apostolic tradition; they [Montanist heretics] keep three Lents a year, as though three Saviors suffered" (*PL* 22, 475).

3576 *Peter's . . . lupines.* From St. Gregory Nazianzus, fourth-century Bishop of Constantinople, Oratio XIV.4 (*PG* 35, 862C).

3577 *Matthew's . . . flesh. PG* 8, 406A.

3578 *Justinian's choice.* Donne's citation confuses Procopius Gazaeus, a sixth-century churchman, with Procopius of Caesarea, eyewitness historian of Justinian's reign. The reference is to the latter's work on the buildings erected by Justinian, I.vii.6-12, where the illness is reported to have been cured miraculously. The works of Procopius were first printed at Augsburg in 1607, and so the allusion reflects some of Donne's recent reading.

3580 *Carthusian Rule.* In matters of mortification and abstinence, the Carthusians were the strictest of the monastic orders; Sayre justifies the prohibition of meat even in mortal illness for its laudatory objectives, promoting the virtues of abstinence and preserving the monastic rule. Compare Azorius, I.v.6, q. 7.

3582 *Apostolical Constitutions.* A body of rules for Christian behavior and church organization compiled in the fourth century, but alleged to have been redacted by Clement of Rome (first century) directly from the apostles' teachings. Turrianus is Francisco Torres, a Jesuit scholar who, against fairly distinct philological evidence, argued for the apostolic authority of the *Constitutions*; his preface to and Latin translation of them were printed in Binius, *Concilia,* vol. I.

3608 *Mariana.* See below, 3670ff., and note.

3624 *redeem . . . son.* The story, certainly apocryphal, is first heard in Gregory, *Dialogi,* III.1 (*PL* 77, 216).

3626 *necessary. . . .* Sayre held (VII.ix.16) that self-sacrifice was not praiseworthy in one who was vital to the service of the church.

3630 *irregularity.* See note to 3250, above.

3633 *Apostles' Canons.* A section of the *Apostolic Constitutions* (VIII.47) whose fifty canons were accepted as authentic by the Roman Church; printed in Binius, *Concilia,* vol. I.

3636 *to geld is to maim.* Stanford, II.41; mutilation, including castration, is a species of "mayhem" ("blemure del corps").

3638 *quia . . . sui.* "Because he is a self-homicide."

3639 *quia . . . insidias.* "Because he is a betrayer of his own life."

3649 *Mark.* Sayre (VII.ix.34) relates this from Jerome, adding that "if the story is true—unless he can be excused on account of a divine revelation (which may piously be believed to have intervened)—he is not to be praised for it."

3652 *Athenagoras.* Donne cites his *Apologia pro Christianis,* addressed, as the citation indicates, to the Emperor Marcus Aurelius, his son Commodus, and gentile philosophers generally; the mention of voluntary castration (*PG* 6, 967A) is in the context of defending Christians from slanders on their sexual morals.

3652 *150.* Almost all copies of Q read "50," with an evident space for the missing numeral before it; two of the Bodleian copies (Gough Norfolk 26, Vet. A3 e. 1505) have faintly inked traces of the "1" and show that it was set.

3654 *cut off that limb.* Sayre's treatment of mutilation is based on the principle that the benefit of the whole supersedes that of each single member. As to the instances Donne cites, Sayre says that one would not be bound to these sacrifices of a limb, since the precept of preserving one's life "does not obligate through such difficult means."

3661 *Ardoynus.* Santes de Ardoynis, author of *Opus de venenis* (Basel, 1562); his Book VIII treats of small poisonous animals, both biters and stingers.

3670 *Mariana.* Juan de Mariana, a Spanish Jesuit whose *De rege et regis institutione libri tres* (Toledo, 1599) was notorious throughout Europe for its justification of regicide in certain cases. It was not considered orthodox even by Catholics, and was formally condemned in France after the assassination of Henri IV in 1610.

3687 *a malefactor. . . .* Sotus, following Scotus (IV, dist. xv, q. 3, a. 2), argues that an unapprehended criminal ought to give himself up to suffer justice, since one may without sin infame one's self for a spiritual good; but he is not held to doing so, since no one is bound to prosecute himself outside the confessional.

3689 *Sansovin.* Francesco Sansovino, author of *Del governo et amministratione di diversi regni et republiche* (Venice, 1578). The "impressions of malice" Donne refers to are Sansovino's characterizations of the English as a people greedy of wealth and glory, who live under a tyranny (Book III). Sansovino pointed out that the hastening of the hanged man's end was an act of piety in that, if it were not done, the victim might hang alive an entire day, with peril of soul as well as pain of body, through so lingering a death. A notice of the information Donne gives, which is earlier than Sansovino's (and perhaps his source), is a document by the Italian diplomat Giulio Raviglio Rosso, who visited England during the reign of Mary and reported both the custom at hangings and that of suffocating the moribund; the latter, Rosso said, was in use only in rural districts far removed from civil practices (printed by René Graziani, *RenQ*, 22 [1969], 329-33).

3704 *countervail.* Be equivalent to.

3714 *good opinions. . . .* The first authority cited, Lucas de Penna, was a civilian of the later fourteenth century; his *In tres Codicis . . . posteriores libros luculentissima commentaria* had four editions printed at Lyons from 1557 to 1593. The section Donne cites (on *Codex*, lib. XII, tit. xlv, lex 1) has a general discussion of capital punishment, including the question of the broken halter (evidence of divine intervention?) that foils a hanging. We have not certainly identified the other two authorities cited.

3725 *purgation.* Judicial means of establishing one's innocence.

3730 *vulgares.* The canon cited mentions purgations by red-hot irons and boiling water, used in cases to determine whether parents of suffocated children were guilty of homicide.

3734 *Britius.* Successor of St. Martin as Bishop of Tours (late fourth century); the passage from Gregory of Tours cited is at *PL* 71, 189–90.

3740 *With us. . . .* Donne cites *Archaionomia, sive de priscis anglorum legibus* (London, 1568), sigs. C2^v–C3, by William Lambarde, legal scholar and antiquarian.

3751 *obedience . . . indiscreet.* Blind obedience to superiors is one of three forms of Roman Catholic obedience which Donne criticizes in *Pseudo-Martyr,* VI.13ff., calling it "inconsiderate and undiscoursed, and . . . indiscreet" (sig. 2D1), and he cites the third example from Dorotheus given here, that of the errant servant (sig. 2D4). For the first two stories, see *PG* 88, 1638A–D; the third is at 1706B.

3759 *doubted.* Worried, suspected.

3769 *Joseph. . . .* This story comes from the *Supplementum chronicarum,* first printed in 1483, a chronologically arranged collection of historical and apocryphal Christian stories by the Augustinian canon Jacobus Philippus Forestus of Bergamo.

3773 *Andrew . . . Lawrence.* Both instances are cited by Navarre as examples wherein it is not sin to provoke actions that are sins.

3776 *Magni . . . faciunt.* "Great ones command what they themselves perform."

3790 *curates.* See 3506, above.

3793 *sub sigillo.* "Under the seal of confession"; the work of Sayre's which Donne cites was printed in 1601.

3799 *Soto esteems.* Of the priest faced with this situation, Sotus says, "if the case were possible that he must either reveal the confession or die, it were better he should die; however, as we are speaking of moral [i.e., practical] issues, we will not admit this case, for the priest could walk in another direction, or stand still, or go back pretending to have forgotten something."

3802 *public good.* It consists in not deterring people from confession by breaking the seal.

3821 *Pythagoras' example.* Eschewal of beans was among the dietary restrictions of the Pythagorean sect. According to the story in Diogenes Laertius (*Lives*, VIII.39), Pythagoras and his disciples were escaping from a fire in the house they used; pursued by the arsonists, Pythagoras refused to cross a beanfield, stating that he would die before doing so or revealing his secret lore, whereupon he and about forty of his followers had their throats cut.

3825 *ambages*. Equivocations or obscurities. General discussions of erring conscience are in Carbo, I, V.xii–xiii; Sayre, I.iv; and Azorius, I.ii.7. The chief issue—the "entanglings" Donne refers to—is the distinction between a conscience erring justifiably and one erring unjustifiably, and the difference in obligation in each instance. According to a distinction which Sayre and Azorius credit to Durandus of Saint-Pourçain, a thirteenth-century Dominican writer, a conscience erring in good faith (e.g., through invincible ignorance) is said to oblige in an absolute sense (*obligat*), since disobedience to it is the only sin one is liable to, while a conscience erring culpably (e.g., by flouting some principle of natural law) only ties one up (*ligat*), since one must sin either way, against conscience by disobeying it or against law by performing what the conscience orders. See also Introduction, pp. xxxii–iv.

3833 *the*. Qa's reading against a Qb-M agreement; adopted because it articulates the distinction between "misinformation" and "mispersuasion."

3839 *second case*. Of a conscience erring *mala fide*. The sentence is possibly corrupt, and a translation of Azorius' words may clarify Donne's: "If the conscience errs and the error is culpable, that is, accepted in bad faith, we still cannot, as long as the error persists, act against conscience without sin. So we are caught, and as it were constrained and tied up, kept from acting contrary to it; yet we still ought not to follow it, because if the state of conscience results from culpable error, it has no power to obligate [*vim obligandi*], since the error is willed by us, and so the conscience should be put aside and renounced by us. Thus, whether we act against or follow a conscience erring in this fashion, we sin; yet we do not sin out of necessity, because we are always capable of putting aside the conscience." Taking Donne's "bound" (3840) to mean "subject to *vim obligandi*," we can interpret "lawful . . . otherwise" (3840–41) to refer to the condition of being *ligatus*, but understood negatively: one has, because sin is never compulsory, the right *not* to perform an act which would be obligatory in a state of rectified conscience. This reading appears to save Donne from the outright misrepresentation of Azorius entailed in his stated choice to ignore the "entanglings," for Azorius certainly recognizes cases in which one's sin is less in flouting conscience than in flouting law.

3844 *iuris naturalis . . . indulgentiae.* "Of natural right" . . . "by the benefit of divine favor." The words are Azorius'.

3851 *sancto . . . exardens.* "Burning with the holy fire of virtuous impatience"; imagined by Paulinus of Severus' longing to see him (*PL* 61, 258A).

3856 *doubt.* Suspect.

3859 *Hero. . . .* This story (*PL* 49, 529–30) is used also in *Pseudo-Martyr,* VII.22. The monk's delusion is the subject of a long discussion in Thomas More's *Dialogue of Comfort against Tribulation,* II.16, where it is argued that one is both responsible for and capable of distinguishing between demonic illusions and authentic divine dispensations of commandments. More's discussion stresses what Donne deemphasizes in Cassian's narration: that Hero's mortifications and his refusal to share Easter with his fellow monks were clear marks of pride. On the other hand, More does not consider the abbot's exonerating Hero of culpable suicide (ed. Martz and Manley [1976], pp. 129–43).

3862 *intermit.* Omit.

3863 *victoriarum . . . plenus.* "Filled with the consciousness of victories"; said of Constantine's army by Nazarius in his oration of 321 (*PL* 8, 588C), included in the *Panegyrici veteres.*

3870 *biothanatos.* The reading of M, supported by the form of the word found in Cassian; see note to line 1, above, for the gloss in the edition Donne used. Compare also *Pseudo-Martyr,* sig. 2H2^v: "*biothanatum,* a self-murderer."

3873 *Wierus.* Johann Weier, a Dutch physician and humanist, whose *De praestigiis daemonum et incantationibus* (Basel, 1563) was a skeptical exposition of witchcraft; while he believed witches existed, Weier was unsympathetic to persecution, and distrusted convictions obtained through the alleged witches' confessions.

3876 *Vasquez. . . .* He asked whether it were sin "to adore a beam of light or an image of the crucifix behind which lurks a devil," and answered that "if one recognizes God there, and not the demon, one's affection is set upon God and not turned on the Devil," invincible ignorance and sincerity being the excusing reasons. Donne was fond of this piece of reasoning; he uses it again in *Pseudo-Martyr,* III.iii.6, and in *Ignatius,* p. 31.

3881 *difference . . . feet.* Compare Donne's elegy "Love's Progress," lines 77–78, or Shakespeare, *Othello,* V.ii.286.

3882 *Binsfeldius . . . Menghi.* Peter Binsfeld was an enthusiastic witch-hunter in Trier; cited is his *Tractatus de confessionibus maleficorum et sagarum* (Trier, 1591). Hieronymus Menghus is the other demonologist cited here; Donne owned a copy (Keynes, L121) of his *Fustis daemonum* (Lyons, 1604). Contradicting the certainties of Binsfeld and Menghi may be for Donne a partial answer to More's insistence (see note to 3859, above) that Hero should have known that his vision was demonic.

3890 *our . . . believing.* I.e., in a case like Hero's, in which the command is believed by its recipient, sincerely and exclusively, to be from God; by analogy to Vasquez' case, it might be excused if the visionary is sincere, but Donne rejects this excuse because, as the examples of Abraham and the Israelites show (see note to 1498, above), God may command something usually considered sin.

3895 *sua . . . est.* "His own wisdom is God to him" (*PL* 8, 657B); from the *Panegyrici veteres.*

3904 *two reasons.* See II.iv.1, above.

3913 *Ignatius.* See 2138ff., above.

3915 *corona civica.* The "civic wreath," a high Roman honor for bravery; Donne cites Antonio Agustín's *De legibus et senatusconsultis liber* (1584, etc.), which cites Pliny, *Nat. hist.*, XVI.7-13.

3922 *Eleazar . . . Razis.* Suicides in I and II Maccabees, respectively, whom Donne discusses in III.v.8-9, below. Augustine recognized that the books of the Maccabees were not accepted as authentic Scripture by the Jews, but in the two places Donne cites, he argues their canonicity, pointing out that the church accepted them for their exemplary depictions of martyrdoms for God's truth even before the Incarnation.

3927 *no example.* Gellius stated that no suits over wives' dowries were heard for over 500 years after Rome's foundation because no marriages were dissolved.

3929 *Herod's daughter.* According to Serarius, *Rabbini et Herodes* (Mainz, 1607), Salome's complaint against her second husband, Costarbus, was the first instance among the Hebrews of a woman's suing for divorce.

3933 *Aristotle's followers. . . .* Donne cites Keppler's *De stella nova in pede Serpentarius* (Prague, 1606), a treatise on the nova that appeared on 30 September 1604. The entire passage is interesting: "Why did Aristotle think the heavens unalterable? Because, he said, in all ages nothing had been claimed to gainsay it. . . . But today, Aristotle's disciples, consulting not reason but the bare statement of the philosopher's dogma—which he fetched from experience—dare to contradict experience" (sig. P1).

3940 *seposed.* Reserved.

3945 *Quod . . . potest.* "Whatever was once acceptable cannot be unacceptable later on"; this is the twenty-first "rule of law" registered in the last section of the *Liber Sextus* on the Canon Law.

3948 *Apollonia.* An elderly virgin martyred during the Decian persecutions at Alexandria, 249–251; Baronius' account largely follows Eusebius, *Hist.*, VI.xli.7.

3954 *Beda, Usuardus, Ado.* Compilers of the earlier Roman Catholic martyrologies.

3954 *latinorum caeteri.* "Others among the Latin (i.e., Western Christian) writers."

3957 *divine inspiration.* Compare Sotus' opinion, that she is excused through her invincible ignorance; a woman could not be expected to know the law (*De iustitia et iure,* V.i.5).

3957 *But, but that.* But unless.

3970 *Quid . . . habemus.* "We have nothing to say about this." The *Acta Sanctorum* for June, II (1698), 155, collects the ancient sources for Pelagia's story; whether Chrysostom (see *PG* 50, 579–84), Eusebius, and Ambrose were writing of the same persons and events must be in doubt, but the tradition identifies Pelagia as a fifteen-year-old girl living in Antioch.

3982 *religious meditation.* What follows is a reasonably close paraphrase of the material in Ambrose's treatise (*PL* 16, 229B–231A).

4002 *Eusebius. . . .* Eusebius' story (*PG* 20, 770–71) is that of two (unnamed) sisters whose beauty aroused lust and envy, and led to their arrest by persecutors; their mother counselled them to commit suicide rather than submit to sexual violation or be forced to idolatrous acts, and then waded with them into a river to drown. All but the last sentence of Donne's paragraph seems to be his own invention, as the speech he supplies resembles very little the matter in Eusebius.

4018 *startling.* Timorous.

4020 *doubted.* Worried.

4022 *discredit.* Q's "defend it" is possible, in the sense of "prohibit the action," but M is more likely in its maintenance of the characteristic doubling of near synonyms.

4028 *ex animo.* "Sincerely."

4033 *Kingdom of Naples. . . .* This evidently refers to events in the contention between Aragonese and Angevin factions claiming the throne, from 1435 to 1442, but Donne seems to have the names wrong; he should have written Alphonso V and Louis III. The citation is to Juan de Pedraza, *Summa de casos de consciencia* (Madrid, 1569).

4043 *midwives . . . Rahab.* Exodus i 16–19 and Joshua ii 1–4. In an excursus "De veritate et de mendacio" in his *In librum Iudicum commentarii* (1561, etc.), Peter Martyr argued that the Egyptian midwives lied in fear of God, and Rahab out of charity.

4044 *impulsu Dei.* "On an impulse from God." Martyr implied that when ostensibly sinful acts are ascribable to divine inspiration, they are instances to be marvelled at, but not by any means to be imitated. As Lavater had said in connection with Razis' suicide, "Let us not live by examples, but by law."

4056 *nihil . . . mortem.* "Nothing detestable may be consumed on the occasion of this sacrament" . . . "Lest the cup of life be turned into death." Donne cites Ioannes de Lapide, *Resolutiorium dubiorum circa celebrationem missarum occurrentium* (1492, etc.).

4063 *he must drink it.* Donne misrepresents Sotus' opinion: the priest "is not held to drink it, whatever the bystanders may suspect."

4073 *That light. . . .* The sources and degrees of light as emblems of human cognitions were a commonplace; cf. Bacon, *The Advancement of Learning,* I.vi.4.

4099 *color . . . sight.* In Aristotle's theory of perception (see *De anima,* II.7.418^{a}26ff.), not the visible entity, but its color, is the feature sensed.

4104 *Mandatum . . . lux.* "Commandment is a lamp, and law a light."

4106 *meteors.* Luminous bodies in the skies.

4110 *diametrally under them.* Opposite from their line of vision. Dennis Quinn, "John Donne's Principles of Biblical Exegesis," *JEGP,* 61 (1962), 313–29, stressed Donne's antipathy towards writers who claimed unique authority in exposition and who lifted scriptural passages out of their contexts in order to support their private intuitions.

4122 *concluded.* Enclosed.

4132 *her.* M's "for a" is possible, as it permits the equation of truth and boldness.

4139 *insimulate.* Accuse.

4151 *mystic.* Symbolic or allegorical. Donne must be referring here to *Decretales,* lib. V, tit. xxiv, whose two canons, *Episcopum* and *Omnibus,* forbid clergymen to hunt with dogs, hawks, or falcons. The Gloss on this refers to the canon *Esau* in the *Decretum,* which Donne cites. Jerome says there that Scripture mentions few saintly hunters, but many saintly fishermen, and the Gloss suggests that fishing is preferred because it is done *sine clamore.* The Gloss on *Episcopum* says that quiet hunting, for necessity or for recreation, is permitted.

4154 *Beza.* Bèze's *Tractatio de polygamia et divortiis* (Geneva, 1568), a copy of which Donne owned (Keynes, L20), was written against the opinions of Bernardino Ochino, a friar who converted to Calvinism in 1542, spent six years in England, and was heterodox enough in his thinking to please neither Reformers nor Catholics. His dialogue on polygamy was translated into English in 1657.

4168 *I will require. . . .* Donne's quotations of the Scripture in English are regularly from the Geneva Bible.

4172 *learned man.* Lavater, who argued that the phrase "at the hand of man" carried the prohibition against suicide. Peter Martyr also used this passage. The rabbinic Midrash does in fact use Genesis ix 5 to prohibit suicide (see *Encyclopedia Judaica* [1971], XV, 489).

4175 *the rabbins. . . .* The sentiment is ascribed to Rabbi Isaac Abhuhabh (died 1493). Donne stretches the point, for Buxdorf's citation does not make the rabbi imply that a proposition and its logical contradiction are both from God; rather, exegetes are invited to "blame the defects of our intellects, not the words themselves."

4178 *Lyra.* Nicolaus de Lyra (ca. 1290–1340), the most widely read of the late-medieval scriptural exegetes; he stated his dependence on Hebrew commentaries, especially that of Raschi, and emphasized literal exegesis. While writing his own expositions in this part, Donne had before him the Protestant commentaries harmonized by Marlorat and one of the several editions in six volumes of the *Biblia sacra cum Glossa Ordinaria . . . et postilla Nicolai Lirani . . . necnon additionibus Pauli Burgensis.*

4184 *offers . . . present.* Gives no more than a literal exposition of the passage; Donne cites Sa's *Notationes in totam scripturam sacram* (1598, etc.).

4186 *commination.* Threat.

4188 *Deuteronomy*. This passage is cited by nearly all the scholastic commentators, beginning with Aquinas, *ST*, 2a2ae, q. 64, a. 5.

4191 *fathers . . . lives?* In the earlier Roman law, the *patria potestas* was unlimited, amounting to power of life and death over all family members and slaves; by Justinian's time this had been greatly curtailed, but even then a father pleading poverty might sell his children into servitude.

4200 *slippery*. Easy (see *OED*, s.v. "slipper" [adj.], sense 1c). Poems teach by delighting, in contrast to precepts, and so make a more lasting impression. In "The First Anniversary," lines 461-66, Donne wrote that God made this song "because He knew [the Hebrews] would let fall/ The law, the prophets, and the history,/ But keep the song still in their memory." Cf. *Essays*, p. 92.

4204 *gratulatory song*. Psalm, poem of thanksgiving.

4207 *in Tobit*. Another gratulatory song.

4208 *neither*. M's reading, corresponding to the Geneva text.

4212 *ever joined*. The passages from Deuteronomy, I Samuel, Tobit, and Wisdom are all cited by Sayre in VII.ix.1.

4214 *miraculous curing. . . .* The passage in Wisdom alludes to Numbers xxi 5-9: after afflicting the wayward Israelites with poisonous snakes, God instructed Moses to fashion a brass serpent, at which the repentant looked and were cured.

4218 *Militia . . . terram*. "The life of man upon the earth is military service."

4224 *depart . . . battle*. This is essentially the Pythagorean maxim recalled by Socrates (*Phaedo*, 61D); the resort to this, then, is a "similitudinary argument" of the sort discussed above, II.vi.8-11.

4241 *letter. . . .* Eusebius reports (*PG* 20, 119-30) that Abgarus, an ailing Asian monarch, wrote to Jesus to confess belief in His divinity, and to offer Him a share in his kingdom if He would come to heal him. The letter given as Christ's reply contains what Donne quotes and a promise to send a disciple to heal the king and convert his people.

4259 *personate*. Fictional.

4264 *Sextus Senensis*. He argued against the heresy that Job was a fictional character. On Donne's point, he stated that what is past is "neither in nature nor in present fact," and so Job cursed what is nonexistent.

4266 *Gregory*. His expositions on this passage are given by Sextus Senensis.

4272 *suspendium . . . mea*. "My soul prefers to be hung"; *suspendium* is susceptible to the interpretation "elevation" rather than "strangling."

4274 *Christo . . . cruci*. "I am nailed to the cross with Christ," said illustratively of "I am dead to the law." "Confixus" is the reading of M and the Vulgate.

4276 *Desperavi . . . vivam*. "I have despaired, vainly do I live on" (vii 16).

4284 *stepped far. . . .* Augustine, *Contra Gaudentium*, I.30, commented on Job's plight: ". . . it is not unjust for a just man to wish death when life is too bitter; but if God does not grant the wish, nothing is just for him except to tolerate that bitter life" (*PL* 43, 727-28).

4295 *slippery*. Here the word seems to mean "licentious" or "lightly conceived" (*OED*, s.v. "slippery," sense 5; s.v. "slipper," sense 8).

4295 *Vigilantius*. A priest who accused Jerome of sympathy for Origenist heresies; Jerome replied with two savage pieces of character assassination, Epistola LXI and *Contra Vigilantium* (*PL* 22, 602ff., and 23, 339ff.).

4296 *Trent Council*. Donne refers, not altogether accurately, to a decree in the final session which instituted an index of prohibited books, not wholesale condemnations of authors; he had used the same similitude in the prefatory epistle to his satire of 1601, "The Progress of the Soul."

4307 *near approaches*. Matthew xxvii 46; Calvin's comment on this passage (given by Marlorat) attributed to Christ a temptation to despair, owing to the weakness of the flesh, but insisted on Christ's triumph over it: "He who says 'Deus meus' has conquered temptation."

4310 *Skin for skin. . . .* Satan's words urging God to afflict Job physically. Sayre (VII.ix.6) combines this verse, Ecclesiasticus xxx 16 (treated in the next section), and Aristotle's dictum that death is the most fearful thing in this life, in order to condemn suicide for the motive of escaping ignominy or hardship. Alphonsus Castrensis, *De potestate legis poenalis*, II.iii, also used Job ii 4 in a similar argument.

4322 *Non . . . corporis*. "There is no riches above a sound body," in the Geneva translation; the Latin *salus* may mean "safety." This verse was cited by Franciscus de Victoria in his "Relectio de homicidio."

4324 *out of order.* I.e., because it is an apocryphal book, although the insistence on scriptural order at 4217 is violated by the placement of Exodus xx 13 after the Job passages.

4336 *no addition.* "Thou shalt not kill" is categorical, while "Thou shalt not bear false witness" adds "against thy neighbor." The passage from Augustine cited in the canon is from *De civitate Dei,* I.20.

4345 *kill his father.* See 1476, above.

4347 *strictioris vinculi.* "Of tighter bond."

4348 *honor . . . charity.* Commandments one, two, and three in the Roman Catholic numbering (Exodus xx 3–11) regulated the worship of God and bound more tightly than commandments four through ten, which regulated behavior towards one's neighbors.

4352 *public, exemplary person. . . .* This case bears some resemblance to that of Eleazar, an elderly Scribe (II Maccabees vi 18–31) who submitted himself to a painful death for his refusal to eat pork. Greek officials, out of longstanding friendship, urged him to bring his own meat and only pretend that what he ate was pork, but Eleazar refused. He believed it would set a bad example for an aged, respected man either to dishonor his religion or to dissemble.

4360 *Iuri . . . constet.* "Divine law may not be altered unless the alteration is itself consistent with divine law." This is in contrast to a privilege, which is permissibly inconsistent with a civil law.

4362 *to kill . . . another's.* The first three of these four circumstances are the undisputed exceptions to the commandment, but Navarre recognizes disputes respecting the fourth, homicide in defense of another person.

4366 *Scotus.* The emendation is required by the sense of the passage, which refers to the citation of Scotus at 2748, above.

4368 *these laws.* The privileges to kill a day-thief, to kill to defend a neighbor, and to kill in self-defense; they would fall within the safe maxim of Acacius quoted at 4360, as their alteration from the commandment would fall within divine law.

4368 *mediately and secondarily.* By way of logical derivation.

4385 *idolatry.* The Geneva Bible's marginal note at Wisdom i 12 refers the reader to Deuteronomy iv 23, the prohibition of graven images, and the note to that passage warns against "superstition and corruption of the true service of God."

4385 *second death.* Damnation (Revelations ii 11).

4394 *vainglory.* In the medieval exegetical tradition, the three temptations were to gluttony, vainglory, and avarice.

4397 *passage.* Critical juncture, decision.

4404 *the other.* Verse 3, turning stones into loaves.

4412 *next place.* This was used by Lavater and by Alphonsus Castrensis (*Adversus omnes haereses,* X, s.v. "Martyrium").

4421 *escape punishment.* See 2340ff., above.

4435 *discharges.* Exonerates.

4436 *a man . . . thereof.* Aquinas (*ST*, 2a2ae, q. 64, a. 5) used this verse to argue that one may not commit suicide to avoid future sin, and it appears in the discussions of almost all later writers. S. E. Sprott cites William Vaughan's use of the verse in *The Golden-Grove* (London, 1608) to prohibit suicide "for the cause of God's glory" (*The English Debate on Suicide from Donne to Hume* [La Salle, Ill., 1961], pp. 14–15).

4443 *preponderate.* Outweigh.

4448 *induration.* Hardening of the heart against God's will (see note to 1307, above).

4449 *immediately.* Without intermediary.

4450 *occasionally.* Through circumstance.

4453 *excaecation.* Spiritual blindness, which Aquinas in the article cited says is the path to sin, but may lead some to salvation by teaching them humility; in such cases, "excaecation is ordained medicinally by divine mercy." Compare Donne's verse epistle "To Sir Edward Herbert, at Juliers," lines 28–30: God's "fiercest wrath/Hath no antipathy, but may be good/ At least for physic." In a sermon of 1624, Donne explained how punishment may promote salvation: our fears are specifically of afflictions that are *malum poenae,* but "when the fear of the Lord is entered into my natural fear, my fear is more conversant, more exercised on the contemplation of good than evil," and "this fear . . . may advance your salvation" (*Sermons,* VI, 106).

4458 *as in cramps. . . .* Donne's citation is an error for Book IV, Aphorism 57 (also used in *Ignatius,* p. 61); he probably used the edition with a translation by Guilielmus Plantius and commentary by Ioannes Lygaeus, *Hippocratis Aphorismi* (1595).

4461 *attemper.* Adjust.

4464 *evident.* Legally actionable.

4474 *bigamy.* The canon says that a clerk in minor orders who marries a widow or commits bigamy should not be promoted. The Gloss interprets that to mean that he may be promoted by dispensation, and gives examples of popes' having done so. See note to 1749 above.

4479 *prescription.* A legal claim to property or privilege on the ground that one has enjoyed it without opposition for an extensive period of time. Windeck holds that such claims, if made in bad faith, together with usury, magic, and deceptions, are legal at law but sin in religion; therefore, he argues, the Civil Law must yield to the Canon Law that prohibits them. *ad medium.* "In the public interest."

4481 *Paracelsus.* Philippus Aureolus Theophrastus Paracelsus Bombast von Hohenheim (1493–1541), who was one of the sixteenth century's foremost contributors to medical science. Donne owned a copy of his *Chyrurgia magna* (Keynes, L135; see note to 5458, below), but the work he refers to here is not in that, or anywhere else we can find. The *morbus caducus* ("falling sickness," i.e., epilepsy) is mentioned only once in the *Chyrurgia.* D. C. Allen, "John Donne's Knowledge of Renaissance Medicine," *JEGP,* 42 (1943), 324–25, commented on Donne's imprecision in citing Paracelsus.

4483 *Canons. . . .* The canon *Duo mala* calls for the exercise of reason in determining the lesser of two evils, as in the dilemma of whether to break an oath or commit a murder. In the canon *Nervi,* Gregory moots such a case: should one, having promised to keep all one's friend's secrets, reveal that the friend is about to murder his mistress's husband? The "natural example" Donne gives at 4485–7 is not in its own context as silly as it sounds, as it is offered only as a similitude for the principle advanced. The two canons comprise Gratian's citations for the doctrine that "there is no dispensation allowable contrary to natural law, unless two evils happen to coincide such that one of them must be chosen." Donne's own opinion on this issue is expressed at 3407-09, "conscience . . . can in no case come to be so entangled and perplexed that it can be forced to choose anything naturally evil," and he explains why in a verse letter to the Countess of Bedford: "Two ills can ne'er perplex us, sin to excuse," because moral value does not inhere in things by nature, but comes "as they are circumstanced" ("You have refined me," lines 4–5). Thus in *Pseudo-Martyr,* X.14, Donne gives the canons *Duo mala* and *Nervi* as examples of errors in matters of faith to be found in Gratian's *Decretum*: "he allows that there may be perplexities in evil, and so in some cases a necessity of sinning; and then, says he, the remedy is to choose the less evil" (sig. 2Q2^v). The Gloss, as Donne recognized, contradicted the canons.

4492 *God Himself. . . .* This sentiment on God's provoking the soul to one sin rather than another is repeated in much the same words by Donne in a letter to Henry Goodyer written in late 1608 (*Letters,* sigs. H1–H1^v). Its source is *De amissione gratiae et statu peccati,* a section of the monumental *De controversiis fidei* (1586–1593) by Cardinal Roberto Bellarmino, the leading Catholic controversialist of the day (*Opera omnia,* ed. J. Fèvre, V [1873], 278). According to Walton (sigs. B7–B7^v), Donne read Bellarmino carefully as a means of settling his own problems of religious affiliation.

4525 *firmament. . . .* See Genesis i 6.

4530 *Manichees.* A dualistic Christian sect, influential through the fourth century, which rejected the entire Old Testament as pertaining to flesh rather than spirit.

4531 *Ezekiel. . . .* "I gave them statutes that were not good and judgments wherein they should not live"; Aquinas (*ST,* 1a2ae, q. 98, a. 1) gave the generally accepted interpretation, that God spoke here of the ceremonial law of the Old Testament, which was not good in that it did not confer saving grace.

4548 *in . . . naturae.* "In the entire framework of nature." The metaphor of the creation and universal history as God's book was traditional; see, e.g., Dante, *Paradiso,* XXXIII.85ff.

4553 *inquinations.* Corruptions.

4555 *inanimation.* Conception. The dogma of the Immaculate Conception did not become official in the Roman Catholic Church until the nineteenth century, but the Council of Trent had excluded the Virgin from its pronouncements on original sin. Interpreting lines 39–40 of Donne's poem "A Litany," Helen Gardner argued that he did not himself believe in the Immaculate Conception (*The Divine Poems* [Oxford, 1952], p. 84; cf. *Sermons,* VI, 118).

4558 *Moses' killing. . . .* Sotus, *De iustitia et iure,* III.v.6, has an argument to exonerate Moses: he acted as a magistrate in punishing a criminal.

4565 *refuse.* Preferable to Q "refute"; Donne seems to say that he will not deny the more conventional exposition, but is content to let it stand beside his own, as not contradictory to it.

4565 *so.* As long as.

4574 *Bellarmine.* Donne's citation is misleading; what he refers to is Book III, Chapter 6, of *De ecclesia triumphante* (Part VII of the *De controversiis*). The issue of the ornamentation of churches is covered in the section on the cult of saints (*Opera,* ed. cit., III [1870], 285ff.).

4580 *Lot . . . color.* Genesis xix 5–8. The Pauline prescription might have been plausible in objection to Lot's action since it was unnecessary; the angels he sought to protect were altogether able to protect themselves, and so no "good" would have come from the daughters' prostitution.

4581 *Judas. . . .* Mark xiv 3ff, or John xii 1ff.

4638 *this is taught.* Donne's exposition is quite close, even verbally, to that of Erasmus Sarcerius, cited by Marlorat at this passage. All the Protestant expositors work from the commonplace metaphor of the harmonious body; Calvin says that in the body of Christ, no one is for himself, lending that much support for Donne's assertion that Ephesians iv 15–16 does not encourage self-preservation in self-interest. All the commentators recognize the passage as non-literal, but none mentions suicide as an issue implicit in it.

4651 *that . . . visible.* The earthly institution.

4661 *justification for martyrdoms.* Sayre (VII.ix.17) had cited it as encouragement for self-sacrifice in the interest of another's spiritual welfare, and Donne's exposition is as much Sayre's as Calvin's.

4667 *No man. . . .* Lavater referred to this text in his argument that "nature teaches us that our life . . . is a gift from God."

4696 *continue. . . .* Compare Augustine, *Soliloquia,* I.7 (*PL* 32, 877): ". . . after this life, there is charity alone."

4699 *She loves not. . . .* From *De doctrina christiana,* I.27, but probably cited from Lombard, *Sententiae,* III, dist. 29, q. 1 (*PL* 192, 816).

4705 *Inchoated.* Begun. This description is reduced from a longer passage in the work cited (*PL* 44, 290), where Augustine's point is the equation of perfect justice with perfect love.

4708 *beginning. . . . PL* 192, 818.

4708 *proficient.* Progressing.

4710 *he.* Augustine, still cited from Lombard.

4712 *cupio dissolvi.* "I desire to be released." Augustine emphasizes that what Paul wished reflected an even more disinterested love than that shown by self-sacrifice for a neighbor's benefit.

4712 *one . . . commandment.* This condenses Serarius' argument that Deuteronomy vi 5 (loving the Lord with heart, soul, and might) is superseded by Matthew v (the Sermon on the Mount), the higher perfection which shows that one cannot be saved by the Old Law.

4718 *paratum . . . cupere.* "Prepared to offer one's life" . . . "to desire (to be dissolved)."

4723 *accompanied . . . God.* Aquinas says that since no one will voluntarily suffer for suffering's sake alone, the suffering must have an objective, which is charity; as there is no charity without God's grace, there is no suffering without grace.

4737 *if an angel. . . .* Galatians i 8.

4739 *former verses.* I Corinthians xiii 1–2.

4741 *there.* In Paul's argument; thus Q is preferred to M's "then."

4744 *Calvin says.* "[Paul] said it hyperbolically, for its singularity or distinctiveness" (Marlorat).

4746 *conceptions.* Intelligible ideas; Lyra means here the direct communication of mind to mind, unmediated by speech.

4750 *Balaam's ass.* Numbers xxii 27–30.

4752 *mustardseed.* Matthew xvii 20.

4756 *in the same manner.* As a step in a gradation.

4764 *Donatists. . . .* In the letter to Donatus excerpted in the canon *Displicet* (2844ff., above), Augustine accused the Donatists of this interpretation; he countered it by arguing that the verse encouraged preparedness for death in a charitable cause, but not the actual taking of one's life. His example was the story of Shadrach, Meshach, and Abednego (Daniel iii), wherein the three men offered their lives rather than commit infidelity, but did not throw themselves into the fire (*PL* 33, 755).

4776 *Nicephorus.* Martyred in the third century; Donne has the story from Symeon Metaphrastes' *Vita . . . martyris Nicephori* (*PG* 114, 1371–76).

4791 *cunning . . . carriage.* Presumably, the magistrate's being so clever as to deny the warranted sentence.

4804 *I may abstain. . . .* Sotus cites John xv 13 in support of this, stating, however, that one is not bound to do so.

4811 *Hereupon.* Upon the principles argued from the verses discussed in the previous section.

4811 *was.* Supplied editorially to make minimal syntactical coherence.

4816 *presently and roundly.* Shortly and specifically. Tradition holds that Peter was martyred at Rome during the Neronian persecutions in A.D. 64.

4826 *present word.* Present tense, *pono,* rather than future *ponam;* Musculus is cited in Marlorat.

4831 *exinanition.* Emptying.

4836 *one.* Mallonius (see note to 1181, above).

4842 *St. Bridget.* A fourteenth-century Swedish visionary, cited here and frequently by Mallonius. Donne said in *Pseudo-Martyr,* XI.16, that her *Revelations* contained "bitter and venomous mixtures to Christ's merit, . . . blasphemies and diminutions of His majesty" (sig. 2Z4), and later in a sermon suggested that "a heathen . . . would sooner be brought to believe Ovid's *Metamorphoses* than Bridget's *Revelations* to conduce to religion" (*Sermons,* X, 146).

4845 *Anselm.* Also cited by Mallonius, in the notes to chapter 16.

4850 *No man . . . down.* John x 18.

4856 *Augustine. . . . PL* 42, 898-99; also cited by Aquinas in the article Donne proceeds to, "Whether Christ was killed by another or by Himself?" Aquinas argued that, in the sense of a direct cause, others killed Christ, but because "it is evident that He did not hinder it when He could have . . . Christ was the cause of His own death."

4879 *His own act . . . time.* The voluntary nature of Christ's death is again urged by Donne in an undated sermon (*Sermons,* V, 121-24), even to his saying that Christ "offered, He exhibited, He exposed, we may say He betrayed Himself to His enemies." Compare "A Litany," lines 176-78, where Donne speaks of Christ's "gallant humbleness/ Which thou in death didst show,/ Dying before thy soul they could express [i.e., expel]."

4880 *apostle could imitate.* Commenting on John xxi 23, Aquinas adduced and rejected two stories which said John entered his tomb alive and, according to one, was borne miraculously to where Enoch and Elias await the end of the world; or, according to the other, sleeps in his tomb until the second coming (*Super Evangelium S. Ioannis lectura,* 5).

4882 *very few others.* The first story cited is that of a young anchorite who interred his dead master, had the grave redug, and then entered it alive to remain with him (*PG* 87, 2947A; the work is there ascribed not to St. Sophronius, but to Ioannes Moschus, addressing one "Sophronius the sophist"). Next cited is the story of St. Severus, fourth-century Bishop of Ravenna, who entered his tomb alive and "now happily sleeps in the Lord," according to the Carthusian monk Laurentius Surius, *De probatis sanctorum historiis,* I (Cologne, 1576), sig. 3Y4. In Donne's Satire IV, 47–48, to "outlie . . . Surius" is called a feat for a courtier's tongue.

4907 *to carry. . . .* Calvin's words, as given in Marlorat, translate approximately as follows: "For if we are required to die so that we may bear fruit, then let us bear it patiently, so that God may bring us to death."

4908 *Jesuits . . . rule.* The *Regulae Societatis Iesu* were first printed in 1580; the section cited by Donne combines the two scriptural verses under consideration.

4917 *his rules.* Evidently, as Donne interprets them at 2888ff., above.

4921 *John. . . .* Another place cited by Sayre (VII.ix.17) to justify self-sacrifice for a neighbor's spiritual welfare.

4924 *understanding of charity.* Donne follows Calvin in this, although Calvin points out a limitation to the exemplary value of the text: "Not *our* blood will appease God's wrath, nor will *our* death earn life" (Marlorat).

4936 *promove.* Promote.

4942 *a holy man. . . .* At the end of *Essays in Divinity,* Donne prays, "if thy good pleasure be such, hasten mine Exodus and deliverance, for I desire to be dissolved, and be with thee" (p. 96).

4951 *vitam profundere.* "To pour out one's life."

4955 *I would wish. . . .* This text is cited by Bonaventure (see note to 3494, above) as a place favoring self-sacrifice.

4959 *charity excused.* Paul's wish was for the Jews' salvation.

4965 *transportations.* Emotional displacements.

4980 *faint wish.* See Matthew xxvi 39.

4988 *iustum . . . iustitia.* "Justice cannot blot out the just"; the previous words are more paraphrase than quotation (*PL* 61, 206A–B).

5013 *type and signification.* A spiritual or allegorical sense by which the literal narrative is made consonant with orthodox belief, by recognizing it as either symbolic or prophetic. On the citation, see note to 1116, above.

5015 *Beza's answer.* See 4153ff., above.

5018 *Jacob's incest. . . .* Jacob was Rachel's first cousin; Lot's daughters lay with him in order that his lineage survive; David condemned Ziba to labor for Mephibosheth.

5027 *concluded impenitence.* Decided that the suicide died impenitent.

5032 *in causa versanti.* Determining the legal and factual issues pertinent in a case.

5038 *judgment.* Being eaten by a lion.

5061 *Jerome.* Quoted in the *Glossa ordinaria.*

5067 *their.* The mariners'; they did not see Jonah's dereliction as the cause of the storm.

5067 *prayed.* Preferable to M "said" as a reflection of the source, "cried to the Lord."

5074 *sanctum Ionam.* "Holy Jonah."

5079 *type of Christ.* "Confined for three days and nights in the belly of the whale, Jonah prefigured the Lord's resurrection," wrote Jerome. Peter Martyr interpreted Jonah's suicidal impulses as from God, who "wished to project in him a type of Christ," and Lavater held that Jonah's importunings were from the laudable motive of saving innocent lives.

5087 *had . . . prophecy.* As Samson was a Danite (Judges xiii 2), Pererius argued that Jacob's prediction for his son Dan (Genesis xlix 16–18) was fulfilled in Samson; and he argued that the Greek poets—not consciously, but under God's inspiration—prefigured Samson through the character of Hercules. This is from the fourth volume (Cologne, 1601) of Pererius' monumental work, *Commentarii et disputationes in Genesim* (1589–1601).

5089 *figure.* Type, or prefiguration; the notion of Samson as a type of Christ is ancient in Christian exegetical tradition.

5094 *Paulinus says. . . .* Donne's summary of a longer passage (*PL* 61, 269A-B).

5102 *learned men.* Franciscus de Victoria held that "killing himself was not part of Samson's intent, and he would have saved himself if he could have done so without sacrificing his intent to destroy the enemy." The Jesuit theologian Gregorius de Valentia follows Augustine in attributing Samson's act to God's command, and repeats Victoria's opinion on the intention (*Commentariorum theologicarum tomus tertius* [Ingolstadt, 1595]). Both citations could have come from Sayre, VII.ix.9.

5117 *lies in proof.* Is inferrable.

5123 *O Lord. . . .* Judges xvi 28.

5127 *strength. . . .* In discussing Samson's suicide as divinely motivated, Thomas More argued from Judges xiv 6 and xv 14 that Samson had strength only when God chose to give it to him, and so could not have pulled the house down without God's concurrence (*Dialogue of Comfort,* II.16, ed. cit., p. 141).

5131 *prevention.* Providence or, more technically, the action of prevenient grace.

5138 *double fault.* Abuse of himself and dishonoring his God.

5140 *subtle author.* Francesco Giorgio (or Zorzi, born 1460), a Venetian writer much influenced by mystical Platonism and hermetic philosophy, author of *In scripturam sacram problemata* (Venice, 1536, etc.); he stresses the voluntary nature of Samson's act, while insisting on divine enlightenment.

5152 *Josephus.* His account is a conflation of I Samuel xxxi 3-6 and II Samuel i 6-10.

5152 *Scholastic History.* Petrus Comestor, *Historia scholastica,* at I Regum, sec. xxviii (*PL* 198, 1322D).

5162 *sentence of Samuel.* See I Samuel xxviii 7ff.; the spirit of Samuel, conjured by the witch of Endor, told Saul that God had become his enemy, and that the next day he and his sons would be "with me," i.e., either among the dead or, as Donne notes below, among the saved souls.

5173 *dishonor . . . God.* The manuscript treatise referred to in the note to 2706, above, is primarily a treatment and defense of Saul's life and death; the author argues the legitimacy of Saul's suicide mainly on the principle that one may do so to avoid dishonoring God: "Neither doth he offend God, that killeth himself rather than to displease God, either with denying Him, in being compelled to serve other gods, or to live in such sort as he can neither publish religion nor so live that he can profit his country" (fol. 124).

5185 *Burgensis.* Paulus de Sancta Maria, a convert from Judaism who became Bishop of Burgos in the early fifteenth century; his scriptural commentaries, largely disagreements with Lyra's, were included in the standard six-volume editions of the Vulgate.

5195 *human respects. . . .* This is generally Lyra's opinion on the armor-bearer.

5206 *Achitophel's death.* He hanged himself when, after joining Absolom's rebellion, his advice was rejected.

5211 *cast into a pit.* II Samuel xviii 14-17.

5220 *Euthymius.* A Byzantine exegete of the early twelfth century, whose expositions were printed in Latin translation in 1544. Euthymius thought Judas lived in secret for a while after his rescue and caused himself to fall headlong (*PG* 129, 706C-07A).

5222 *Brentius.* Johannes Brenz, a leading figure in the Reformation in southern Germany. Marlorat quoted his opinion that either version was acceptable, since "it is enough that we recognize that his life ended wretchedly."

5224 *Oecumenius.* A tenth-century Greek exegete; the citation seems to refer to the *Expositiones . . . collectae in Acta Apostolorum* (Verona, 1568). See *PG* 118, 58D-59B.

5232 *Theophylact.* Archbishop of Bulgaria, died 1108; he held that Judas survived his hanging through the will of God, who wanted him preserved for exemplary purposes (*PG* 123, 459B).

5250 *Jepthe.* Donne cites in *Pseudo-Martyr,* III.ii.11, Azorius' opinion that the best evidence supports Lyra's argument that Jepthe did not slay his daughter.

5256 *two psalms.* Acts i 20 refers to Psalms lxix 25 and cix 8 as prophetic of Judas' treachery.

5263 *Devil . . . saved.* Castrensis (*Adversus omnes haereses,* V, s.v. "Diabolus") and Prateolus (XIII.5) list this among Origen's heresies. Whether he actually taught the doctrine was disputed; Scultetus, *Medullae,* VI.vi, had pointed out that Origen "contradicted himself on the salvation of devils, which he asserted in his ninth homily on Jeremiah, but rejected in his first book *De principiis.*"

5264 *Devil . . . him.* The reference to Sa's *Notationes* must be an error, since there is no note in it to the passage under discussion. Donne probably had the idea from the next source cited, the *Catena aurea in quatuor Evangelia,* Aquinas' compilation of patristic expositions, where Origen's opinion is given: the Devil provoked Judas to such a deep repentance in order that he commit a second crime, his suicide.

5266 *those words. . . .* Matthew xxvii 3, the condemnation being interpreted as Judas', not Christ's, as the latter had not yet been formally judged by Pilate.

5272 *meant.* This, the M reading, translates the source, "existimavit praevenire," though Q "went" might perhaps be an alternate form of "weened" (*OED,* s.v. "ween," sense 2c). To Origen's exposition, Aquinas added that Judas "did not realize that it is improper for a servant of God to expel himself from this life instead of waiting for God's decision."

5278 *contrition . . . satisfaction.* See note on 2292, above. Protestant expositors regularly hold that Judas killed himself out of despair, and Calvin warns that one who commits suicide to punish himself will not thereby diminish God's wrath. For Judas' motives, Marlorat suggests "either unendurable grief, or fear of shame, or—this certainly—the pull of Satan's instigation."

5285 *laqueum talibus reliquit.* "He bequeathed the noose to such," i.e., such as Petilian himself.

5285 *himself confesseth. . . .* In *De civitate Dei,* I.17.

5293 *passive action.* Eleazar, brother of Judas Maccabeus, put himself in the way of inevitable death, rather than doing the deed directly. In the war against Antiochus, he charged into an army and attempted to kill Antiochus himself by disabling the elephant on which the king rode. Josephus describes the deed in *Antiquities,* XII.6, and *Jewish Wars,* I.1, saying that Eleazar was a man who preferred glory to life, and that the deed had no military significance.

5306 *target.* Shield.

5308 *inclusus . . . triumpho.* "More than pressed, he was hemmed in by destruction, and was buried in his triumph." This is from the *Glossa ordinaria,* which cites Ambrose's *De officiis,* I.40.

5310 *schoolmen.* Sayre, Victoria, Sotus, and Valentia all exonerate Eleazar, remembering Ambrose's eulogy.

5310 *intended.* Directed.

5313 *expose ourselves. . . .* Cajetan is paraphrased closely from

Sayre's citation of him (VII.ix.9): "When someone exposes himself to certain peril of death for the benefit of his country, he chooses not his own death *per se,* but the enemy's death, and only by accident or concomitantly allows his own for the common good; this is licit, for the moral good or evil of human actions is to be judged according as their object *per se* does or does not conform to right reason, whatever other consequences there may be by way of accident or concomitant."

5321 *Razis.* A respected elder of Jerusalem. In an effort to demoralize the Jews, the governor of Judea sent 500 soldiers to capture him; he committed suicide as the soldiers set fire to the tower he was in.

5329 *cowardliness.* Aquinas said Razis killed himself out of "the weakness in a soul not strong enough to bear hardships"; he cited Aristotle, *Nicomachean Ethics,* III.8, and Augustine, *De civitate Dei,* I.23.

5332 *ut plurimum.* "Respecting the majority."

5334 *Augustine.* Donne's discussion is based on *De civitate Dei,* I.22–23, but he may also have known Augustine's comments on Razis in *Contra Gaudentium,* I.31. The Donatists had used Razis' suicide as an example; Augustine replied that his death lacked the "patience worthy of a servant of God," that it was an example of foolishness rather than wisdom, and that the Scripture's praise was for his love of his city, "specifically, the earthly city of Jerusalem" (*PL* 43, 728–31).

5340 *magne than bene.* "Grandly" (in spirit) rather than "well" (in morals). Cleombrotus' story originates in Cicero, *Disp. Tusc.,* I.34.

5346 *Lucrece.* Roman woman who committed suicide after being raped (Livy, I.58, Ovid, *Fasti,* II.721ff., both sources of Shakespeare's poem on the subject).

5347 *Cato.* Leader of Roman republican forces who committed suicide at Utica in 46 B.C. rather than surrender to Julius Caesar. According to Plutarch, those who witnessed Cato's suicide agreed that "he only was a free man, and had an invincible mind" (North's translation). Augustine said Cato's motives were to avoid bondage and the consequent scorn of public opinion, and held it much to Cato's discredit that he had advised his son to live and seek Caesar's indulgence.

5352 *to die.* M's reading is closer to the source than Q "to let him die."

5356 *examples do not stop. . . .* This maxim comes from the digest of Roman history by C. Velleius Paterculus (early first century

A.D.), *Historiae Romanae,* II.iii.4, in connection with the relentless civil strife that followed the assassination of Tiberius Gracchus in 133 B.C.

5358 *profited.* M's reading, as the source uses the past tense.

5360 *Regulus.* Roman general in the First Punic War; captured by the Carthaginians, he was released on his promise to return after delivering terms of negotiation to the Romans. He dissuaded them from accepting the terms and returned to Carthage to be executed under torture. Donne disagrees with Augustine, who preferred Regulus to Cato for fortitude (but observed that Job and the Christian saints outdid them both), and with Peter Martyr, who seconded Augustine's opinion and pointed out that Regulus delivered himself to death, but did not, as Cato did, kill himself directly.

5362 *falsehood.* Regulus had to lie to the Senate about the fate that awaited him.

5365 *videbatur firme mollius.* "It appeared more weakness than strength" for Antisthenes, out of love of life, to decline death; Diogenes the Cynic was Antisthenes' pupil.

5370 *Lyra.* He ascribed the reasons in Razis' favor to Hebrew commentators.

5375 *ordinantur in Deum.* "Made lawful by being done for God" (cf. Romans xiii 1).

5375 *Victoria. . . .* Victoria, Sotus, and Valentia are all cited by Sayre (VII.ix.10).

5377 *Burgensis.* Donne took the substance of this opinion from Sayre's citation: "He killed himself neither for the common good nor for the love of true virtue, . . . for by his death he neither freed his people, nor could he have freed them, for they were already captives." It is not Burgensis' precise opinion as found in his response to Lyra, but rather Sayre's conflation of six authorities who followed Aquinas in condemning Razis' act. The issue of Razis' failure to liberate his people seems to be raised through a contrast with Cato's situation. The latter's suicide was frequently taken as exemplary of one means to avoid political subjection. In Plutarch's account, Cato declares, "If I would save my life by Caesar's grace, I could do it if I would but go unto him. Howbeit, I will not be bound to a tyrant for injustice; for it is an injustice in him to take upon him, as a lord and sovereign, to save a man's life when himself [i.e., Caesar] hath no authority to command" (North's translation; cf. Seneca, *De providentia,* ii.10). At the time of his suicide, Cato's adherents were not yet Caesar's prisoners.

5385 *secessions.* Wanderings apart.

5393 *made of shadow.* Cf. Genesis ii 7.

5398 *the Devil kindles. . . .* Cf. Donne's verse epistle "To Sir Edward Herbert, at Juliers," lines 43–44: "Knowledge kindles calentures in some,/ And is to others icy opium."

5409 *Alcuinus. . . .* Eighth-century English scholar and a leading figure in the Carolingian renaissance. Alcuin cited (*PL* 100, 162B) Augustine, *De doctrina christiana,* I.23, who said there are four things we may love; what is above us, what is ourselves, what is equal to us, and what is below us; the first and third are commanded in the Decalogue, but there are no precepts on the second and fourth.

5413 *pretermitted.* Omitted, neglected.

5418 *Nutant parietes.* "The walls are trembling"; Cyprian is cited from Scultetus, *Medullae,* VIII.xiv.

5421 *Ausonius' thanks.* The Emperor Gratian made his former teacher consul in 379; Ausonius thanked him in the oratorical epistle cited here (*Opuscula,* xx.16), which was printed with the *Panegyrici veteres* in 1591, 1595, and 1600.

5427 *recline.* Bend.

5428 *disease.* The *morbus gallicus,* syphilis; Donne cites the second part of the *Chyrurgia magna* (Strasbourg, 1573), a collection of Paracelsus' writings translated into Latin by Josquinus Dalhemius.

5442 *defensative.* Inoculation, or antidote.

5450 *damnum opinionis.* "Slander"; the source is Ennodius, *Opuscula,* viii (*PL* 63, 258A).

5458 *chirurgeon.* Physician. The first part of the citation refers to a passage in "De vulneribus," the first part of the *Chyrurgia magna,* where Paracelsus makes his most forcible statement on the utility of cures through talismans. The reference to "de trans." is less certain; both Book III (De transplantatione), ch. 9, and Book IV (De morborum transmutatione), ch. 10, of the fourth part of the *Chyrurgia,* mention the use of stones in cures.

5459 *heavens infuse.* Donne is referring to a principle of Hermetic magic which holds that each entity in the sublunary world is endowed with sympathies by the star that governs it; magicians might exploit the power of the star by manipulating talismans and objects believed to have the star's sympathy.

5460 *man, who is all.* Donne must mean this in the sense Bacon argued (*Advancement of Learning,* II.x.2): criticizing the idea of man as microcosm (which Donne, too, had criticized in the epistle "To Sir Edward Herbert, at Juliers," lines 33–40), Bacon asserted, "But thus much is evidently true, that of all substances which nature hath produced, man's body is the most extremely compounded. For we see herbs and plants are nourished by earth and water; beasts for the most part by herbs and fruits; man by the flesh of beasts, birds, fishes, herbs, grains, fruits, water, and the manifold alterations, dressings, and preparations of the several bodies, before they come to be his food and aliment . . . and it cannot be denied but that the body of man of all other things is of the most compounded mass." Compare the first line of the Herbert epistle: "Man is a lump, where all beasts kneaded be."

5461 *when . . . exalted.* The proper moment of astral conjunction.

5462 *impression.* Sympathy with the astral body.

5462 *character.* An image or hieroglyphic inscribed on a talisman; see, e.g., Frances Yates, *Giordano Bruno and the Hermetic Tradition* (London, 1964), chapter III.

5464 *diverse laws.* The Civil Law's prohibitions of the magical arts are in *Codex,* lib. IX, tit. xviii De maleficis et mathematicis; see W. S. Holdsworth, *A History of English Law,* 2d ed. (London, 1937), IV, 510–11, for sixteenth- and seventeenth-century legislation on the subject.

5466 *sickness.* The *morbus regum,* or "kings' evil," fistula. In Donne's time, King James claimed this power, supposedly granted to all the successors of Edward the Confessor (cf. Shakespeare, *Macbeth,* IV.iii. 140ff.). Pomponazzi, in the passage cited at 5466–7, mentioned the French kings' power to cure it. For Spanish royalty's power to expel demons, Donne cites Bartholomaeus Cassanaeus, *Catalogus gloriae mundi* (Venice, 1569), an encyclopedia of all laudable things (i.e., glories) pertaining to all creatures. Curing diseases miraculously is among the glories of secular princes.

5472 *hellebore.* A plant with both medicinal and poisonous properties. Cassian's discussions of lying are at *PL* 49, 1062Bff.

5474 *in . . . gloriam.* "In great gain or great loss, and in humiliation to avoid vainglory"; this is a much abbreviated characterization of the circumstances in which, according to Cassian, an untruth may be acceptable.

5476 *if Cassianus mistake. . . .* Cassian's approval of mendacity in certain cases was considered unorthodox. The argument in mitigation that follows comes from the *Observationes in Cassianum*, by Petrus Ciaconius, a series of analyses defending Cassian from charges of Pelagianism and other alleged unorthodoxies; these were subjoined to the edition of *De institutis renunciantium libri XII, Collationes sanctorum patrum XXIV* (Lyons, 1606), from which Donne cited this same passage twice in *Pseudo-Martyr* (sigs. V2 and 2R1^v), and in *Ignatius*, p. 55.

5477 *Origen*. Almost certainly Ciaconius' mistake for Clement of Alexandria; see *Stromata*, VII.ix (*PG* 9, 474–75).

5478 *Plato's opinion*. In *Republic*, III.389B.

5487 *Qui . . . dormiat*. "If he cannot hold food down, let him sleep." This is a prescription for the malady of tender stomach (said to afflict "the greater number of city-dwellers and almost all who are avid for literature") noted by Cornelius Celsus, a first-century A.D. encyclopedist. *Sententiae* culled from the first five books of his *De re medica* were appended to the *Hippocratis Aphorismi* (1595).

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